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JOURNAL

OF THE

COMMON COUNCIL

OF THE

CONSOLIDATED CITY OF PHILADELPHIA, Comm
" Council

BEGINNING JUNE 12, AND ENDING DECEMBER 2, 1854.

WITH AN APPENDIX.

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JOURNAL

OF THE

COMMON COUNCIL.

MONDAY, June 12, 1854.

The members elect to the Common Council of the new Consolidated City, met this Monday morning, (in accordance with Section 5th of the Consolidation Act,) at the Council Chamber, City Hall, at 10 o'clock.

Mr. M. S. Wickersham,

Moved, that James J. Boswell, be called to the Chair, and Geo. Norton, act as Secretary.

John U. Giller,

Moved that the Wards be called, and the certificates of the election of members be handed to the Secretary.

Which was agreed to.

Mr. Diehl,

Made a motion to suspend further action on the subject for the present.

Which was agreed to.

Mr. Wickersham

Moved that a Committee of three be appointed to wait on the Prothonotary of the Court of Common Pleas, to obtain a copy of the general returns.

Which was agreed to.

The Chair appointed Messrs. Wickersham, Giller and Smith.

Motion to take a recess for fifteen minutes.

Which was agreed to.

The Council having been re-called to order

Mr. Wickersham,

From the Special Committee, reported, that there were no general returns of the election of members in the office of the Court of Common Pleas.

Report accepted and committee discharged.

James Verree was appointed Assistant Secretary.

Mr. Diehl

Moved that the Certificates of the Judges of the Election be received here, as the evidence of the election of members.

Member from Nineteenth Ward

Moved to amend by inserting "excepting those whose seats are contested."

Which was withdrawn, and the original motion agreed to.

The Secretaries reported the credentials of the following gentlemen as correct:

ROLL OF MEMBERS OF COMMON COUNCIL.

1st Ward, J. A. Houseman,
Richard M. Berry,
Charles A. Dunk.

2d Ward, Jas. M. Gibson,
John A. Mercer,
James Davenport.

- 3d Ward, William Moran,
George Norton,
William H. Dennis.
- 4th Ward, M. J. Dougherty,
William M. Powell,
John U. Giller.
- 5th Ward, S. S. Bishop,
Charles Abbey,
James Stuart.
- 6th Ward, Conrad S. Grove,
Wm. H. J. Read,
Christian J. Hoffinan.
- 7th Ward, William W. Watt,
John H. Diehl,
Anson Grey.
- 8th Ward, George Griscom,
Samuel J. Randall,
Peter Scheetz.
- 9th Ward, Thomas Balch,
M. J. Wickersham,
Samuel Copeland.
- 10th Ward, James W. Martien,
Robert Cresswell,
Joseph M. Cowell.
- 11th Ward, John Horn,
Alex. Harper,
Conrad B. Address.
- 12th Ward, Peter F. Laws,
Wm. P. Hacker,
Chas. M. Wagner.
- 13th Ward, John Lloyd,
Geo. M. Pomeroy,
Henry Shuster.
- 14th Ward, William Conrad,
Chas. Hubbard,
Wm. Laazalere.

- 15th Ward, Wm. Matthews,
Andrew Rhodes,
Robert Newell.
- 16th Ward, R. P. Gillingham,
John S. Painter,
Wm. M. Parham.
- 17th Ward, John Dubree,
C. B. F. O'Neill,
James Gay,
Seth Austin.
- 18th Ward, Henry Bumm,
Alpheus W. Green,
Albert F. Hoppel.
- 19th Ward, Daniel Corlies,
Edmund Taylor,
Patrick Boyle.
- 20th Ward, Edward Gratz,
George A. Binder,
Joseph Manuel, Jr.
- 21st Ward, Charles E Graeff,
Charles Magarge,
John F. Preston.
- 22d Ward, Thos. J. Roberts,
John Stallman,
Wm. F. Smith.
- 23d Ward, David S. Hassinger,
Nathan Hilles,
Benj. Crispin,
James Verree, Jr.
- 24th Ward, James J. Boswell,
T. T. Butcher,
A. M. Eastwick.

FIRST WARD.

Philadelphia, June 7th, 1854.

Mr. JOHN A. HOUSEMAN,

Sir,—At a General Election held in the First Ward, on the 6th instant, you were duly elected to the office of Common Council.

William Bright,
James Hunter,
Cornelius Alexander,
David Hutton,
Jacob Hiddemen,
Jacob K. Beaumont,
Inspectors.

Thompson Carlisle,
Robert Applegate,
Thomas Gaffney,
Daniel Miller,
Philip Simon,

Judges.

Philadelphia, June 7th, 1854.

Mr. RICHARD M. BERRY,

Sir,—At a General Election held in the First Ward on the 6th instant, you were duly elected to the office of Common Council.

William Bright,
James Hunter,
Cornelius Alexander,
David Hutton,
Jacob Hiddemen,
Jacob K. Beaumont,
Inspectors.

Thompson Carlisle,
Robert Applegate,
William Vantine,
Thomas Gaffney,
Daniel Miller,
Philip Simon,

Judges.

Philadelphia, June 7th, 1854.

Mr. CHARLES A. DUNK,

Sir,—At a General Election, held in the First Ward on the 6th instant, you were duly elected to the office of Common Council.

William Bright,
James Hunter,
Cornelius Alexander,
David Hutton,
Jacob K. Beaumont,
Inspectors.

Thompson Carlisle,
Robert Applegate,
Daniel Miller,
Thomas Gaffney,
Jacob Hiddemen,
Philip Simon,

Judges.

SECOND WARD.

Philadelphia, June 7th, 1854.

Mr. JAMES M. GIBSON,

Sir,—At a General Election held in Second Ward, on the 6th instant, you were duly elected a member of Common Council, of the City of Philadelphia.

| | |
|-------------------|---------------|
| John Chambers, | 1st division. |
| Jacob Potter, | 2d do. |
| Thomas Delany, | 3d do. |
| Stephen Hamilton, | 5th do. |
| Isaac McKeever, | 6th do. |
| John Marlow, | 9th do. |
| Israel Lazarus, | 9th do. |
| John Hill, | 10th do. |

Return Judges.

Philadelphia, June 7th, 1854.

Mr. JOHN A. MERCER,

Sir,—At a General Election, held in Second Ward, on the 6th instant, you were duly elected a member of Common Council, for the City of Philadelphia.

| | |
|-------------------|---------------|
| John Chambers, | 1st division. |
| Jacob Potter, | 2d do. |
| Thos. A. Delany, | 3d do. |
| Stephen Hamilton, | 5th do. |
| Isaac McKeever, | 6th do. |
| John Marlow, | 9th do. |
| Israel Lazarus, | 9th do. |
| John Hill, | 10th do. |

Return Judges.

Philadelphia, June 7th, 1854.

Mr. JAMES DAVENPORT,

Sir,—At a General Election held in Second Ward, on the 6th instant, you were duly elected a member of Common Council for the City of Philadelphia.

| | |
|-------------------|---------------|
| John Chambers, | 1st division. |
| Jacob Potter, | 2d do. |
| Thos. A. Delany, | 3d do. |
| Stephen Hamilton, | 5th do. |
| Isaac McKeever, | 6th do. |
| John Marlow, | 9th do. |
| Israel Lazarus, | 9th do. |
| John Hill, | 10th do. |

Return Judges.

THIRD WARD.

Philadelphia, June 7th, 1854.

Mr. WILLIAM MORAN,

Sir,—At a General Election held in Third Ward, on the 6th instant, you were duly elected a member of Common Council.

John R. Manderfield,
Joseph Levi,
David Rambo,
William Hamill,
Thomas Bell,
John Coates, Jr.,
A. S. Redstreake,

Return Judges.

Philadelphia, June 7th, 1854.

Mr. GEORGE NORTON,

Sir,—At a General Election held in Third Ward, on the 6th instant, you were duly elected a member of Common Council.

John R. Manderfield,
Joseph Levi,
David Rambo,
William Hamill,
Thomas Bell,
John Coates, Jr.,
A. S. Redstreake,

Return Judges.

Philadelphia, June 7th, 1854.

Mr. WILLIAM H. DENNIS,

Sir,—At a General Election held in Third Ward, on the 6th instant, you were duly elected a member of Common Council.

John R. Manderfield,
Joseph Levi,
David Rambo,
William Hamill,
Thomas Bell,
John Coates, Jr.,
A. S. Redstreake.

Return Judges.

FOURTH WARD.

Philadelphia, June 7th, 1854.

Mr. MICHAEL J. DOUGHERTY,

Sir,—At a General Election held in Fourth Ward, on the 6th instant, you were duly elected a member of the Common Council for Fourth Ward.

Benjamin M. Evans,
E. J. Reekard,
Ezekiel Pew,
William R. Shepherd,
John McKeown,
John B. Mooney,
William A. Neff,
William Moore.

Return Judges.

Philadelphia, June 7th, 1854.

Mr. WILLIAM M. POWELL,

Sir,—At a General Election held in the Fourth Ward, on the 6th inst., you were duly elected a member of the Common Council for the Fourth Ward.

Benj. M. Evans,
E. J. Reekards,
Ezekiel Pew,
William R. Shepherd,
John McKeown,
John B. Mooney,
Wm. A. Neff,
Wm. Moore.

Return Judges.

Philadelphia, June 7th, 1854.

Mr. JOHN U. GILLER,

Sir,—At a General Election held in the Fourth Ward, on the 6th inst., you were duly elected a member of the Common Council for the Fourth Ward.

Benj. M. Evans,
E. J. Reekards,
Ezekiel Pew,
William R. Shepherd,
John McKeown,
John B. Mooney,
Wm. A. Neff,
Wm. Moore.

Return Judges.

FIFTH WARD.

Philadelphia, June 7th, 1854.

Mr. STILWEL S. BISHOP,

Sir,—At a General Election held in the Fifth Ward, on the 6th inst., you were duly elected a member of the

Common Council of the City of Philadelphia, from the Fifth Ward.

Chas. Norris,
Nathan Hall,
Chas. B. Trego.
John T. Maule,
Charles F. Bengin.

Return Judges.

Philadelphia, June 7th, 1854.

Mr. CHARLES ABBEY,

Sir,—At a General Election held in the Fifth Ward, on the 6th inst., you were duly elected a member of the Common Council of the City of Philadelphia, from the Fifth Ward.

Chas. Norris,
Nathan Hall,
Charles B. Trego,
John T. Maule,
Charles F. Bengin.

Return Judges.

Philadelphia, June 7th, 1854.

Mr. JAMES STUART,

Sir,—At a General Election held in the Fifth Ward, on the 6th inst., you were duly elected a member of the Common Council of the City of Philadelphia, from the Fifth Ward.

Chas. Norris,
Nathan Hall,
John T. Maule,
Charles F. Bengin,
Chas. B. Trego.

Return Judges.

SIXTH WARD.

Philadelphia, June 7th, 1854.

Mr. CONRAD S. GROVE,

Sir,—At a General Election held in the Sixth Ward, on the 6th inst., you were duly elected a member of Common Council.

Thomas Graham, 7th Precinct,
James Weeks, 8th do.
Thos. R. Adams, 3d do.
N. T. Baroux, 5th do.
James P. Harris, 2d do.

Return Judges.

Philadelphia, June 7th, 1854.

Mr. WILLIAM H. J. READ,

Sir,—At a General Election held in the Sixth Ward, on the 6th inst., you were duly elected a member of Common Council.

Thomas Graham, 7th Precinct,
Jas. Weeks, 8th do.
Thos. R. Adams, 3d do.
N. T. Baroux, 5th do.
James P. Harris, 2d do.

Return Judges.

Philadelphia, June 7th, 1854.

Mr. CHRISTIAN J. HOFFMAN,

Sir,—At a General Election held in the Sixth Ward, on the 6th inst., you were duly elected a member of Common Council.

Thomas Graham, 7th Precinct,
Jas. Weeks, 8th do.
Thos. R. Adams, 3d do.
N. T. Baroux, 5th do.
James P. Harris, 2d do.

Return Judges.

SEVENTH WARD.

Philadelphia, June 12th, 1854.

I, JAMES G. GIBSON, *Prothonotary of the Court of Common Pleas, &c.*,

Do hereby certify, that according to the Election Returns filed in my office from Seventh Ward, William W. Watt, was elected one of the Common Councilmen.

Witness my hand and seal of office, this 12th day of June, A. D. 1854.

J. HAVILAND, *pro Prothonotary,*

Per James G. Gibson, Prothonotary.

Philadelphia, June 7, 1854.

JOHN H. DIEHL, Esq.

Sir,—At a General Election held in the Seventh Ward, on the 6th inst., you were duly elected a member of the Common Council.

F. A. Hoyt,
Jas. McKinley,
Henry Barclay,
Chas. Vanzandt,

Return Judges.

Philadelphia, June 7, 1854.

ANSON GRAY, Esq.

Sir,—At a General Election, held in the Seventh Ward, on the 6th inst., you were duly elected a member of the Common Council.

F. A. Hoyt,
Jas. McKinley,
Henry Barclay,
Chas. Vanzandt,

Return Judges.

EIGHTH WARD.

Philadelphia, June 7, 1854.

GEO. GRISCOM, Esq.

Sir,—At a General Election held in the Eighth Ward, on the 6th inst., you were duly elected a member of the Common Council.

John C. Martin,
James Kelly,
Jno. Bringhurst,
William Swift,

Return Judges.

Philadelphia, June 7th, 1854.

SAMUEL J. RANDALL, Esq.

Sir,—At a General Election held in the Eighth Ward, on the 6th inst., you were duly elected a member of the Common Council.

John C. Martin,
James Kelly,
Jno. Bringhurst,
William Swift,

Return Judges.

Philadelphia, June 7th, 1854.

PETER SCHEETZ, Esq.

Sir,—At a General Election held in the Eighth Ward, on the 6th inst., you were duly elected a member of the Common Council.

John C. Martin,
James Kelly,
Jno. Bringhurst,
William Swift,

Return Judges.

NINTH WARD.

Philadelphia, June 7, 1854.

THOMAS BALCH, Esq.

Sir,—At a General Election held in the Ninth Ward, on the 6th inst., you were duly elected a member of the Common Council from said Ward.

Curtis Clayton, Sr.,
Return Judge.

Richard M. Batturs,
Return Clerk.

Moses C. Maub,
Return Clerk.

Philadelphia, June 7, 1854.

MORRIS S. WICKERSHAM, Esq.,

Sir,—At a General Election held in the Ninth Ward, on the 6th inst., you were duly elected a member of the Common Council from said Ward.

Curtis Clayton, Sr.,
Return Judge.

Richard M. Batturs,
Return Clerk.

Moses C. Maub,
Return Clerk.

Philadelphia, June 7, 1854.

SAMUEL COPELAND, Esq.

Sir,—At a General Election held in the Ninth Ward, on the 6th inst., you were duly elected a member of the Common Council from said Ward.

Curtis Clayton, Sr.,
Return Judge.

Richard M. Batturs,
Return Clerk.

Moses C. Maub,
Return Clerk.

TENTH WARD.

Philadelphia, June 6, 1854.

Mr. JAMES W. MARTIEN,

Sir,—At a General Election held in the Tenth Ward, on the 6th inst., you were duly elected a Common Councilman.

R. S. Brock,
C. S. Esher,
Wm. Yard,
Jas. Waner, Jr.

*Return Judges.**Philadelphia, June 7, 1854.*

Mr. ROBERT CRESSWELL,

Sir,—At a General Election held in the Tenth Ward, on the 6th inst., you were duly elected a member of Common Council.

Wm. Yard,
R. S. Brock,
C. S. Esher,
James Waner, Jr.

*Return Judges.**Philadelphia, June 7, 1854.*

Mr. JOSEPH M. COWELL,

Sir,—At a General Election held in Tenth Ward, on the 6th instant, you were duly elected a Common Councilman.

R. S. Brock,
C. S. Esher,
James Waner, Jr.,
Wm. Yard,

Return Judges.

ELEVENTH WARD.

Philadelphia, June 7th, 1854.

JOHN HORN, Esq.,

Sir:—At a General Election held in Eleventh Ward on the 6th instant, you were duly elected Common Councilman.

David Vickery.

*Return Judge.**Philadelphia, June 7th, 1854.*

ALEXANDER HARPER, Esq.,

Sir:—At a General Election held in Eleventh Ward on the 6th instant, you were duly elected Common Councilman.

David Vickery.

*Return Judge.**Philadelphia, June 7th, 1854.*

CONRAD B. ANDRESS, Esq.,

Sir:—At a General Election, held in Eleventh Ward, on the 6th instant, you were duly elected Common Councilman.

David Vickery.

Return Judge.

 TWELFTH WARD.
Philadelphia, June 7th, 1854.

PETER F. LAWS, Esq.,

Sir:—At a General Election held in the Twelfth Ward on the 6th inst., you were duly elected a member of the Common Council for said Ward.

Ab'm Nippes,
 Jacob J. Sommer,
 Isaiah Matthias,
 Wm. J. Gillingham,
 A. H. Dunlap,

Return Judge.

Alex. Bond,
 Thad. R. Barbier,

Clerks.

Philadelphia, June 7th, 1854.

WILLIAM P. HACKER, Esq.,

Sir:—At a General Election held in the Twelfth Ward on the 6th inst., you were duly elected a member of the Common Council for said Ward.

Ab'm Nippes,
Jacob J. Sommer,
Isaiah Matthias,
Wm. J. Gillingham,
A. H. Dunlap,
Return Judges.

Alex. Bond,
Thad. R. Barbier,
Clerks.

Philadelphia, June 7th, 1854.

CHARLES M. WAGNER, Esq.,

Sir:—At a General Election held in the Twelfth Ward on the 6th inst., you were duly elected a member of the Common Council for said Ward.

Ab'm Mippes,
Jacob J. Sommer,
Isaiah Matthias,
Wm. J. Gillingham,
A. H. Dunlap,
Return Judges.

Alex. Bond,
Thad. R. Barbier,
Clerks.

THIRTEENTH WARD.

In the Court of Common Pleas for the City and County of Philadelphia, to wit:

On examination of the Returns of the Judges of the various Divisions of the Thirteenth Ward, for the election of Common Council, held June 6th, 1854, I find that John Lloyd was duly elected a member of the Common Council for said Ward.

Certified from the Record, this June 12th, 1854.

JAS. G. GIBSON,
Prothonotary.

In the Court of Common Pleas for the City and County of Philadelphia, to wit:

On examination of the Return of the Judges of the various Divisions of the Thirteenth Ward, for the election of Common Council, held June 6th, 1854, I find that George W. Pomeroy was duly elected a member of the Common Council for said Ward.

Certified from the Record, this June 12th, 1854.

JAS. G. GIBSON,
Prothonotary.

In the Court of Common Pleas for the City and County of Philadelphia, to wit:

On examination of the Returns of the Judges of the various Divisions of the Thirteenth Ward, for the election of Common Council, held June 6th, 1854, I find that Henry Shuster was duly elected a member of the Common Council for said Ward.

Certified from the Record, this June 12th, 1854.

JAS. G. GIBSON,
Prothonotary.

FOURTEENTH WARD.

Philadelphia, June 7th, 1854.

Mr. WM. CONRAD,

Sir:—At a General Election held in the Fourteenth Ward on the 6th inst., you were duly elected a member of the Common Council of the City of Philadelphia for one year.

John W. Middleton,
John B. Green,
Mortimer L. Johnson,
Samuel Forder,
Joseph Lippincott,
Return Judges.

Philadelphia, June 7th, 1854.

Mr. CHAS. HUBBARD,

Sir:—At a General Election held in the Fourteenth Ward on the 6th inst., you were duly elected a member of the Common Council of the City of Philadelphia for one year.

John W. Middleton,
John B. Green,
Mortimer L. Johnson,
Samuel Forder,
Joseph Lippincott,
Return Judges.

Philadelphia, June 7th, 1854.

Mr. WM. LARZELERE,

Sir:—At a General Election held in the Fourteenth Ward on the 6th inst., you were duly elected a member of the Common Council of the City of Philadelphia for one year.

John W. Middleton,
John B. Green,
Mortimer L. Johnson,
Samuel Forder,
Joseph Lippincott,
Return Judges.

FIFTEENTH WARD.

Philadelphia, June 8th, 1854.

Mr. WM. MATTHEWS,

Sir:—At a General Election, held in the Fifteenth Ward on the 6th inst., you were duly elected Common Councilman of said Ward.

Daniel T. Moore,
William Curry,
Henry Largay,
John Tole,
John M. Bockius,
Return Judges.
Samuel B. McCaher,
Return Clerk.

Philadelphia, June 8th, 1854.

Mr. ANDREW RHODES,

Sir:—At a General Election, held in the Fifteenth Ward, on the 6th instant, you were duly elected a Common Councilman of said Ward.

Daniel T. Moore,
Wm. Curry,
Henry Largay,
John Tole,
John M. Bockius,
Return Judges.

Samuel B. McCahen,
Return Clerk.

In the Court of Common Pleas, for the City and County of Philadelphia, to wit :

On examination of the returns of the various divisions of the Fifteenth Ward, held June 6th, 1854, Robert Newell was duly elected a member of Common Council for said Ward.

Certified from the Record, June 12th, 1854.

JAS. G. GIBSON,
Prothonotary.

SIXTEENTH WARD.

Philadelphia, June 7th, 1854.

Mr. R. P. GILLINGHAM,

Sir:—At a General Election held in Sixteenth Ward, on the 6th instant, you were duly elected a member of the Common Council for said Ward.

S. R. Kepper,
Chas. H. Owens,
Wm. Simpson,
Bertles Shee,
Henry D. Rapp,
Christian Knipe,
H. G. Jones,
Return Judges.

In the Court of Common Pleas for the City and County of Philadelphia. to wit :

On examination of the Returns of the various divisions of the Sixteenth Ward, held June 6th, 1854, John S. Painter, was duly elected a member of Common Council, of said Ward.

Certified from the Record, June 12th, 1854.

JAS. G. GIBSON,
Prothonotary.

Philadelphia, June 7th, 1854.

Mr. WILLIAM M. PARHAM,

Sir:—At a General Election held in Sixteenth Ward, on the 6th instant, you were duly elected a member of the Common Council, for said Ward.

S. R. Kepper,
Chas. H. Owens,
Wm. Simpson,
Bertles Shee,
Henry D. Rapp,
Christian Knipe,
H. G. Jones,
Thos. K. Finletter,
Return Judges.

SEVENTEENTH WARD.

Philadelphia, June 7th, 1854.

Mr. JOHN DUBREE,

Sir:—At a General Election held in Seventeenth Ward, on the 6th instant, you were duly elected a member of Common Council.

James Young,
John Barnett,
Patrick Gunn,
John Corkin,
D. J. Burke,
Return Judges.

Philadelphia, June 7th, 1854.

Mr. C. B. F. O'NEILL,

Sir:—At a General Election held in Seventeenth Ward, on the 6th instant, you were duly elected a member of the Common Council.

James Young,
John Barnett,
Patrick Gumm,
John Corkin,
D. J. Bourke,

Return Judges.

Philadelphia, June 7th, 1854.

Mr. JAMES GAY,

Sir:—At a General Election held in Seventeenth Ward, on the 6th instant, you were duly elected a member of the Common Council.

James Young,
John Barnett,
Patrick Gumm,
D. J. Burke,
John Corkin,

Return Judges.

Philadelphia, June 7th, 1854.

Mr. SETH AUSTIN,

Sir:—At a General Election, held in Seventeenth Ward, on the 6th instant, you were duly elected a member of the Common Council.

James Young,
John Barnett,
Patrick Gumm,
John Corkin,
D. J. Burke,

Return Judges.

EIGHTEENTH WARD.

In the Court of Common Pleas for the City and County of Philadelphia, to wit:

On examination of the returns of the various divisions of the Return Judges of the Eighteenth Ward, for Common Council, held June 6th, 1854, Henry Bumm was duly elected a Councilman of said Ward.

Certified from the Record, June 12, 1854.

JAS. G. GIBSON,
Prothonotary.

Philadelphia, June 7th, 1854.

ALPHEUS W. GREEN,

Sir:—At a General Election held in the Eighteenth Ward, on the 6th instant, you were duly elected a member of Common Council, of the City of Philadelphia.

William Linker, Jr.
Wm. Weyant,
Joseph H. Bramble,
James R. Blade,
Return Judges.

Philadelphia, June 7th, 1854.

ALBERT F. HOPPEL, Esq.

Sir:—At a General Election held in the Eighteenth Ward, on the 6th inst., you were duly elected a member of the Common Council of the City of Philadelphia.

Wm. Linker, Jr.
Wm. Weyant,
Joseph H. Bramble,
James R. Blade,
Return Judges.

 NINETEENTH WARD.

We hereby certify that at an Election held on Tuesday, the 6th day of June, instant, in the Nineteenth Ward, in pursuance of the provisions of an Act of Assembly, entitled

“A further Supplement to the Act to incorporate the City of Philadelphia,” Daniel Corlies was duly elected a member of the Common Council from said Ward,

Michael Funk,
Daniel Miller,
John Walter,
Wm. H. Knox,
Thomas Malone,

Return Judges of Nineteenth Ward.

We hereby certify that at an election held on Tuesday, the Sixth day of June, instant, in the Nineteenth Ward, in pursuance of the provisions of an Act of Assembly, entitled “A further Supplement to the Act to Incorporate the City of Philadelphia,” Edmund Taylor was duly elected a member of the Common Council from said Ward.

Michael Funk,
John Walter,
Daniel Miller,
Wm. H. Knox,
Thomas Malone,

Return Judges of Nineteenth Ward.

We hereby certify that at an election held on Tuesday, the Sixth day of June, instant, in the Nineteenth Ward, in pursuance of an Act of Assembly, entitled “A further Supplement to the Act to Incorporate the City of Philadelphia,” Patrick Boyle was duly elected a member of the Common Council from said Ward.

Michael Funk,
John Walter,
Daniel Miller,
Wm. H. Knox,
Thomas Malone,

Return Judges of Nineteenth Ward.

TWENTIETH WARD.

Philadelphia, June 7, 1854.

EDWARD GRATZ, Esq.,

Sir:—At a General Election held in the Twentieth

Ward on the 6th inst., you were duly elected a member of Common Council.

Wm. H. Jackson,
W. McAnulty,
Abraham Lower,
Rowland Hill Brown,
Charles Beine,
Isaac Guenther,
Return Judges.

Philadelphia, June 7, 1854.

GEORGE A. BINDER, Esq.,

Sir:—At a General Election held in the Twentieth Ward on the 6th inst., you were duly elected a member of Common Council.

Wm. H. Jackson,
W. McAnulty,
Abraham Lower,
Rowland Hill Brown,
Charles Beine,
Isaac Guenther,
Return Judges.

Philadelphia, June 7, 1854.

JOSEPH MANUEL, Jr., Esq.,

Sir:—At a General Election held in the Twentieth Ward on the 6th inst., you were duly elected a member of Common Council.

Wm. H. Jackson,
W. McAnulty,
Abraham Lower,
Rowland Hill Brown,
Charles Beine,
Isaac Guenther,
Return Judges.

TWENTY-FIRST WARD.

Philadelphia, June 7, 1854.

CHARLES E. GRAEFF, Esq.,

Sir:—At a General Election held in the Twenty-first

Ward on the 6th inst., you were duly elected a member of the Common Council.

Adam Strang,
John P. Thompson,
P. M. Wagner,
Edward Holgate,
Return Judges.

In the Court of Common Pleas for the City and County of Philadelphia:

On examination of the Returns of the various Divisions of the Twenty-first Ward, of the Return Judges, held the 6th day of June, A. D. 1854, Charles Magarge was duly elected a member of Council for said Ward.

Certified from the Record, this June 12th, 1854

JAS. G. GIBSON,
Prothonotary.

Philadelphia, June 7, 1854.

JOHN F. PRESTON, Esq.,

Sir:—At a General Election held in the Twenty-first Ward on the 6th inst., you were duly elected a member of Common Council.

Adam Strang,
John P. Thompson,
P. M. Wagner,
Edward Holgate,
Return Judges.

TWENTY-SECOND WARD.

Philadelphia, June 6, 1854.

THOMAS J. ROBERTS,

Sir:—At a General Election held in the Twenty-Second Ward on the 6th inst., you were duly elected a member of the Common Council.

Christopher Simon, 1st Prec't.
Jacob Rorer, 2d "
John D. Caldwell, 3d "
F. B. Rittenhouse, 4th "
J. S. Bowman, 5th "
Casper Gayer, 6th "
Israel Dickinson,
Return Judges.

Philadelphia, June 6, 1854.

JOHN STALLMAN,

Sir:—At a General Election held in the Twenty-Second Ward on the 6th inst., you were duly elected a member of Common Council.

Christopher Simon, 1st Prec't.
 Jacob Rorer, 2d "
 John D. Caldwell, 3d "
 F. B. Rittenhouse, 4th "
 J. S. Bowman, 5th "
 Casper Guyer, 6th "
 Israel Dickinson,

Return Judges.

Philadelphia, June 6, 1854.

WILLIAM F. SMITH,

Sir:—At a General Election held in the Twenty-Second Ward on the 6th inst., you were duly elected a member of the Common Council.

Christopher Simon, 1st Prec't.
 Jacob Rorer, 2d "
 John D. Caldwell, 3d "
 F. B. Rittenhouse, 4th "
 J. S. Bowman, 5th "
 Casper Guyer, 6th "
 Israel Dickinson,

Return Judges.

TWENTY-THIRD WARD.

Philadelphia, June 7, 1854.

MR. DAVID S. HASSINGER,

Sir:—At a General Election, held in the Twenty-third Ward, on the 6th inst., you were duly elected a member of Common Council. First Division.

Joseph Kinsley,
 L. McCormick,
 William Struble,
 J. Abram,
 H. Dewees,
 Wm. Baldwin,
 Joseph M. Banes,

Return Judges.

Philadelphia, June 7th, 1854.

NATHAN HILLES,

Sir:—At a General Election, held in the Twenty-third Ward, on the 6th inst., you were duly elected a member of Common Council, for the Second Division.

L. McCormick,
Joseph Kinsley,
William Struble,
J. Abram,
H. Dewees,
Wm. Baldwin,
Joseph M. Banes,
Return Judges.

Philadelphia, June 7th, 1854.

MR. BENJAMIN CRISPIN,

Sir:—At a General Election held in the Twenty-third Ward, on the 6th inst., you were duly elected a member of Common Council for the Fourth Division.

L. McCormick,
Joseph Kinsley,
J. Abram,
Wm. Baldwin,
H. Dewees,
Joseph M. Banes,
Jonathan Brook,
Return Judges.

Philadelphia, June 7th, 1854.

MR. JAMES VERREE, JR.,

Sir:—At a General Election, held in the Twenty-third Ward, on the 6th inst., you were duly elected a member of the Common Council for Third Division.

Joseph Kinsley,
L. McCormick,
J. Abram,
H. Dewees,
William Struble,
Joseph M. Banes,
Jonathan Brook,
Return Judges.

TWENTY-FOURTH WARD.

Philadelphia, June 7th, 1854.

J. J. BOSWELL, Esq.

Sir:—At a General Election, held in Twenty-fourth Ward, on the 6th instant, you were duly elected a member of Common Council.

| | |
|---------------|---------------|
| W. A. Engle, | 1st Precinct. |
| John Graham, | 3d do. |
| Henry Angelo, | 4th do. |
| G. T. Lemmon, | 5th do. |

Return Judges.

Philadelphia, June 7th, 1854.

T. T. BUTCHER, Esq.

Sir:—At a General Election, held in Twenty-fourth Ward, on the 6th instant, you were duly elected a member of Common Council.

| | |
|---------------|---------------|
| W. A. Engle, | 1st Precinct. |
| John Graham, | 2d do. |
| Henry Angelo, | 4th do. |
| G. T. Lemmon, | 5th do. |

Return Judges.

Philadelphia, June 7th, 1854.

A. M. EASTWICK, Esq.

Sir:—At a General Election, held in Twenty-fourth Ward, on the 6th instant, you were duly elected a member of Common Council.

| | |
|---------------|---------------|
| W. A. Engle, | 1st Precinct. |
| John Graham, | 3d do. |
| Henry Angelo, | 4th do. |
| G. T. Lemmon, | 5th do. |

Return Judges.

Mr. Moran

Moved that a committee of three be appointed to wait on Mayor Gilpin, to administer the oath of office.

Which was agreed to.

Messrs. Moran, Hacker and Randall, were appointed.

The Committee returned with the Mayor; when the members were duly sworn or affirmed.

Mr Hacker offered the following resolution :

Resolved, That a committee of five, from this Chamber, be appointed to wait upon and invite the attendance of Bishop Potter, for the purpose of invoking the blessing and direction of Divine Providence, in view of the important duties we have been called upon to discharge.

Which was read twice and agreed to.

The Chair appointed Messrs. Hacker, Giller, Abbey, Randall and Smith.

The committee conducted the Bishop to the Council Chamber, and he was formally introduced by the Chair.

On motion of Mr. Newell,

That Council now proceed to make nominations for President.

Mr. Bumm nominated John H. Diehl.

Mr. O'Neill nominated Benjamin Crispin.

On motion of Mr. Hacker,

The nominations were closed.

And Messrs. Abbey and Giller were appointed tellers.

The tellers reported the following as the result of the election.

That 71 votes were polled, and

| | | |
|----------------|----|--------|
| John H. Diehl, | 58 | votes. |
| B. Crispin, | 10 | “ |
| Blank, | 2 | “ |
| Wm. F. Smith, | 1 | “ |

The nominations were now made for Clerk.

Messrs. J. M. Riley, Wm. Vodges, Jr., and Craig Biddle were nominated.

A motion was made,

That an Assistant Clerk be elected.

Which was not agreed to.

The tellers reported that 71 votes were polled, and

| | | | |
|-----------------|----------|----|--------|
| J. M. Riley, | received | 58 | votes. |
| Craig Biddle | “ | 9 | “ |
| Wm. Vodges, Jr. | “ | 4 | “ |

The Clerk appeared and took his seat.

Mr. Painter

Moved to proceed to the nomination of a Messenger.

Which was agreed to.

E. John Fox and Wm. Dougherty were placed in nomination.

The tellers reported that 70 votes were polled, and that

| | | | |
|---------------|----------|----|--------|
| E. J. Fox | received | 51 | votes. |
| Wm. Dougherty | “ | 17 | “ |
| Blank | “ | 2 | “ |

- Mr. Randall offered the following resolution:

Resolved, That a Joint Special Committee of five members be appointed to procure suitable rooms for the meetings of these Councils. And further, to make such other arrangements as will conduce to the comfort of members, and the proper performance of their duties.

Which was read twice and agreed to.

The Chair appointed Messrs. Randall, Mercer, Crispin, Giller and Boswell.

Select Council concurred, and

Appointed, on the part of Select Council, Messrs. P. A. Keyser, Duffee, Selby, Caldwell and Hutchinson.

Mr. Wickersham offered the following resolution:

Resolved, That until otherwise ordered, the rules and regulations in use by the old City Councils be adopted for government of the present Councils, so far as they are applicable to this body.

Which was read twice and agreed to.

Mr. Griscom offered the following resolution:

Resolved, That a committee of five members be appointed to act in conjunction with a similar committee of Select Council, (if Select Council shall appoint such committee,) to report by ordinance the creating and establishing of such standing committees as may be deemed necessary and proper for conducting the business of the Corporation.

Which was read twice and agreed to.

Chair appointed, Messrs. Griscom, Smith, Dennis, Painter and Berry.

Select Council concurred, and

Appointed on the part of Select Council, Messrs. Hinman, Roberts, P. A. Keyser, Kline and Pratt.

Mr. Copeland offered the following:

Resolved, That a committee of ——— members of each Council, be appointed to prepare, with such aid as they may deem proper, and to report for the consideration of Councils such ordinances as, in the opinion of the committee, may be necessary to organize and regulate the departments of the City Government, and as may be requisite to carry out the provisions of the 44th section of the Consolidation Act.

Which, on motion, was postponed for the present.

Message was received from Select Council, announcing,

The organization of that body, as follows: President, John P. Verree; Clerk, Edmund Wilcox; Messenger, Jacob Smith, and asking concurrence in the following resolutions:

Resolved, That a committee of five from each Council be appointed, in conjunction with the City and Assistant City Solicitor, to take charge of any business that may, in their opinion, require immediate attention. And, also, prepare

and report a plan for the permanent organization of the several Committees of Councils.

Committee of Select Council, Messrs. Hinman, Roberts, P. A. Keyser, Kline, and Pratt.

Common Council, concurred, and

Appointed Messrs. Smith, Griscom, Demmis, Painter, and Berry.

Resolved, That, until otherwise ordered, the rules and regulations which were in use by the late Councils of the City of Philadelphia, be adopted, so far as applicable, for the use of these Councils.

Which was read and laid on the table.

Resolved, That when this Council adjourns it will adjourn to meet to-morrow, Tuesday, at 11½ o'clock, A. M., for the purpose of witnessing the administration of the oath to the Mayor elect of the Consolidated City, in pursuance of the 7th section of the Consolidation Act.

So Common Council concurred.

Resolved, That a joint special committee of three from each Council be appointed, to make arrangements for the inauguration of the Mayor Elect.

So Common Council concurred.

Committee, Select Council—Messrs. Bullock, Waterman, and Marselis.

Committee, Common Council—Messrs. Boswell, Randall, and O'Neill.

Resolved, That the Presidents of Council be directed to request Major General Robert Patterson to take the necessary steps for a proper military observance of the approaching Fourth Day of July.

Common Council concurred.

Resolved, That a joint special committee of five be appointed to report to Councils a suitable place for the permanent meetings of Councils.

Select Council Committee—Messrs. P. A. Keyser, Duffee, Selby, Caldwell, and Hutchinson.

Resolved, That, until otherwise ordered, the meetings of Councils be held in the Chambers at present occupied by them.

Common Council concurred.

Resolved, That the Committee on the plan for the permanent organization of Councils, be requested to obtain from the City Solicitor his written opinion in relation to the duties of the present and late Corporations, until the permanent organization of the new Councils; and report the same at the next meeting of Councils.

Common Council concurred.

Resolved, That the City Councils and the several Corporations now forming the Consolidated City, be requested to furnish the Councils, as organized this day, on or before the 10th instant, with an inventory of all the property and effects in their possession.

Common Council concurred.

Resolved, That the Corporations of the various Municipal Districts and Boroughs, superseded by the Consolidation Act, be requested to report, on the 10th instant, the business in their respective Districts, requiring the immediate action of Councils.

Common Council concurred.

The Clerk was authorized to announce to the Select Council that this body was duly organized.

The Council now proceeded to the consideration of the resolution of Mr. Copeland.

When, on motion,

It was indefinitely postponed.

Mr. Giller

Presented a communication (*Appendix No. 1*) from E. Weatherby, of Fourth Ward, contesting the seat of M. J. Dougherty, returned as the member elect from said Ward.

The communications were read, and

On motion,

That a Committee be appointed in conformance with Thirty-fifth Section of the Consolidation Act,

The President read the law relative to the contesting of seats. The formality of the proceeding being very tedious,

On motion,

That the subject be postponed for the present.

Which was agreed to.

Mr. Smith

Moved that we take a recess for one hour.

Amendment offered to read twenty minutes and another five minutes.

The question being taken on the longest time, and division being called,

The Clerk reported 33 members voting in the affirmative, and 29 in the negative.

The Council took a recess for one hour.

Council reorganized at three o'clock.

The President proceeded to draw the committee to examine into the contested seat of Fourth Ward.

The President read the names as drawn by the Clerk.

The contestants, with Mr. Verree, proceeded to the Committee Room, and struck off six names.

After the eleven names were read out,

The President called them up in front of his desk, who were duly sworn or affirmed, except W. H. J. Read, and

motion made to proceed forthwith and examine the claims of the contestants.

The Committee consists of

Messrs. Eastwick, Bishop, Cresswell, Read, Shuster, Lloyd, Randall, Mercer, Gay, Boswell and Powell.

Message received from the Select Council, and

Asked concurrence of the following resolutions :

Resolved, That the stated meetings of Councils shall be held on every Thursday hereafter, until further arranged, at three o'clock, P. M.

An amendment was offered, to meet at five o'clock.

Division being called,

The Clerk reported, 12 members voting in the affirmative and 29 in the negative.

An amendment was offered to meet at four o'clock.

Which was not agreed to.

The original resolution was then concurred in by Common Council.

Resolved, That the Corporations of the various Districts, Boroughs, and Townships, be requested to inform their officers of the following passage in the 6th section of the Consolidation Act, viz :

That all Treasurers, Police, and other officers of the aforesaid corporations, county, and townships, shall continue to discharge the duties of their respective offices until superseded or dismissed by the authority of the City of Philadelphia, and be accountable as officers holding office under said City, and shall account for all money in their hands, through the Auditor, and make payment to the Treasurer of the City.

Common Council concurred.

Mr. Norton offered the following resolution :

Resolved, That (if Select Council concurs) the County Treasurer and the Treasurers of the several Municipal Corporations, comprising the City of Philadelphia as consolida-

ted, be requested to furnish Councils, at their meeting on the 19th instant, with the following information, viz :

1. The amount of money in their respective Treasuries.
2. For what purposes, if any, it is appropriated, and at what time such appropriations were made.
3. The amount of their respective funded debt, and the interest due or becoming due thereon, and when said interest will be payable.

Which was read twice and agreed to

Resolution was offered by Mr. Boswell, in relation to the Fire Department.

After being read, the mover had leave to withdraw it.

Communication was read and received from the late City Councils.

Which was referred to the Committee to procure suitable place for meeting. (*Appendix No. 2.*)

A communication was received from

Messrs. Graeff, Wilkinson, and Kline, contesting the seats of Messrs. Taylor, Boyle, and Corlies.

Which was read and on

Motion made

That the President proceed to draw the Committee, Messrs. Wickersham and Balch registered the names.

The contestants not being present, the President appointed Mr. Dennis in their stead, who, with Messrs. Boyle and Corlies and Mr. Martien repaired to the Committee Room, and there struck off six names. The members having returned, the President read the list of 11 members, they were called up in front of his desk, and all being present except Messrs. Copeland and Harper, they were duly sworn or affirmed.

Committee—P. F. Laws, S. Copeland, T. T. Butcher,
G. W. Pomroy, N. Hilles, A. Harper, W. P. Hacker, J.
M. Gibson, G. A. Binder, Charles E. Graeff, and W. Conrad.

Motion made

That all be tried at once.

On motion

Of Mr. Giller, that we adjourn to Tuesday morning at
11½ o'clock.

Adjourned.

TUESDAY, June 13th, 1854.

Council met—Present,

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Bumm,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Corlies.
Crispin,
Dunk,
Davenport,
Dennis,
Dubree,
Dougherty,
Eastwick,
Gibson,
Giller,
Grove,
Gray,
Griscom,
Gillingham,
Gay,
Green,
Gratz,
Graeff,
Hacker,
Hubbard,
Hoppel,

Messrs. Hoffman,
Horn,
Houseman,
Hassinger,
Lloyd,
Laws,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Powell,
Pomeroy,
Parham,
Painter,
Read,
Rhoads,
Roberts,
Stuart,
Shuster,
Stallman,
Scheetz,
Smith,
Verree,
Watt,
Wickersham,
Wagner,
Diehl, *President.*

The President

Laid before Council the oath of office taken before Mayor Gilpin, by Edward Gratz, of 20th Ward, who appeared and took his seat.

Which was read and ordered to be filed.

Mr. Read,

Being present, he was duly sworn by the President, as one of the Committee on the contested seat of 4th Ward.

Mr. Copeland

Being present, he was duly affirmed as one of the Committee on the contested seats of 19th Ward.

Mr. Boswell

Moved that the Select Council be informed that this Council is organized and ready to receive them in their Chamber, to receive the Mayor elect.

After a short time, the President, Clerk and members of Select Council entered the Chamber.

Councils being assembled,

The President of Select Council stated the object of the Meeting.

The President

Addressed the Mayor, stating the object to be, to proceed to the Inauguration in Independence Square.

The Councils accompanied by the Mayor elect, Judges and Mayor Charles Gilpin, proceeded in procession to Independence Square, to witness the administration of the Oath of Office to the Mayor elect.

Judge Thompson administered the oath to the Mayor elect, who then addressed the assembled multitude.

After which

Common Council returned to their own Chamber.

And being assembled,

Mr. Hacker offered the following resolution :

Resolved, That a joint committee of three from each

Chamber, be appointed to wait upon the Mayor, and inform him that Councils are now organized for business, and ready to receive any communication he may desire to make.

Which was read twice and agreed to.

Committee, Messrs. Hacker, Balch and Moran.

Select Council, concurred,

And appointed Messrs. Bullock, Waterman and Marselis.

On motion,

That Council now take a recess.

Which was agreed to.

Committee to wait on the Mayor,

Reported that the Mayor had a communication to send to Council by his Clerk.

The Mayor's Clerk entered the Chamber and presented a Message from the Mayor.

Which was read and laid on the table for the present.
(*Appendix, No. 3.*)

Mr. Griscom offered the following resolution :

Resolved, That the certificates of the election of the members of the Common Council be entered on the Journal, and filed in the archives of the city.

Which was read twice and agreed to.

A message from Select Council, with communication from the Mayor,

Which was laid on the table.

Mr. Painter

Moved that the Message of the Mayor be printed for the use of the Members, and that it be referred to the Committee on Plan of Organization.

Which was agreed to.

On motion,

Adjourned.

THURSDAY, June 15th, 1854.

Council met—Present,

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Bumm,
Binder,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Conrad,
Corlies,
Crispin,
Dunk,
Davenport,
Dennis,
Dubree,
Dougherty,
Eastwick,
Gibson,
Giller,
Grove,
Gray,
Griscom,
Gillingham,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Hoffman,
Harper,

Messrs. Hacker,
Hubbard,
Hilles,
Hassinger,
Laws,
Lloyd,
Larzarlere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
O'Neill,
Powell,
Pomeroy,
Parham,
Painter,
Preston,
Read,
Randall,
Rhoads,
Roberts,
Stuart,
Scheetz,
Shuster,
Smith,
Stallman,
Taylor,
Verree,
Watt,
Wickersham,
Wagner,
Diehl, *President.*

The Clerk proceeded to read the Journal.

On motion of Mr. Griscom,

That the reading of the Journal be dispensed with.

Which was agreed to.

President

Laid before Council, communication of Algernon S. Roberts, offering his resignation as Director of Girard College for Orphans. (*Appendix, No. 4.*)

Laid on the Table.

Mr. Pomeroy,

Chairman of Contested Election, 19th Ward, made a report.

Which was read, (*Appendix No. 5*), and Committee discharged.

Mr. Boswell,

Chairman of Contested Election of 4th Ward, made the following report:

Resolution was read, and

On motion of Mr. Crispin,

Was referred back to the Committee.

Which was agreed to.

Mr. Wickersham

Offered an Ordinance relating to the Seal of the City, (*Appendix No. 6.*)

Which was read twice.

On motion of Mr. Newell,

That the further consideration of the Ordinance be referred to a committee of three.

Which was not agreed to.

The original bill having passed the second reading,

On motion

That it be prepared for a third reading, and it be read by the title, viz:

“An Ordinance for the Establishing the Seal of the City of Philadelphia.”

Being read the third time, the bill passed.

Message from Select Council.

Report of Committee on Plan of organizing Councils, with the opinion of the Solicitor and the following resolutions: (*Appendix No. 7.*)

Whereas, By the Act of January 31st, 1854, the several municipalities heretofore existing have been consolidated into one City, and *Whereas*, it is necessary that arrangements should be made for the preservation of the property of the said Corporation, and for the continuance for certain purposes of local matters.

No. 1. *Therefore Resolved*, That the Members of Councils of the First, Second, Third and Fourth Wards of the City of Philadelphia, be a committee to take charge of, and have the direction of all matters late under the direction and control of the District of Southwark, Moyamensing and Passyunk, and that the various officers in the said districts account to, and be under the direction and control of said committee.

No. 2. That the Members from Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Wards, be a committee to direct and take charge of all matters and officers as aforesaid, in the late City of Philadelphia.

No. 3. That the Members from Eleventh and Twelfth Wards be a committee to direct and take charge of all matters and officers as aforesaid, in the late District of Northern Liberties.

No. 4. That the Members from Thirteenth, Fourteenth and Fifteenth Wards, be a committee to take charge of, as

aforesaid, all matters and officers in the late District of Spring Garden.

No. 5. That the Members from Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards, be a committee to take charge of, as aforesaid, all matters and officers late in the Districts of Kensington, Richmond and Penn.

No. 6. That the Members from Twenty-first Ward, be a committee to take charge of, as aforesaid, all matters and officers in the late Borough of Manayunk, and the Townships of Roxborough and Penn.

No. 7. That the Members from Twenty-second Ward, be a committee to take charge of, as aforesaid all matters and officers in the Townships of Germantown and Bristol, and the Borough of Germantown.

No. 8. That the Members from Twenty-third Ward, be a committee to take charge of, as aforesaid all matters and officers in the remainder of the County of Philadelphia, east of the River Schuylkill.

No. 9. That the Members from Twenty-fourth Ward, be a committee to take charge of, as aforesaid, all matters and officers in that part of the County of Philadelphia, lying west of the River Schuylkill.

That all the aforesaid committees act until superseded by acts or ordinances of the Councils.

Amendment offered by Mr. Smith:

Resolved, That the various Committees above named be and they are hereby authorized to appoint, temporarily, Police or Committing Magistrates in their respective districts.

Having been read, the mover asked leave to withdraw it.

So Common Council concurred in Report and Resolutions.

Mr. Pomeroy

Moved that we proceed into an election of an Assistant Clerk.

Which was agreed to.

Mr. Norton nominated J. Quincy Adams.

Hubbard, " J. Hervey Bryant.

Preston, " Jos. W. Brown.

Bumm " C. W. Steele.

O'Neill " Geo. W. Burr.

Andress " George H. Moore.

Matthews " E. O. Jackson.

Mr. Smith

Moved that Council now take a recess of five minutes.

Which was agreed to.

Mr. Newell

Moved that we now proceed to the election of an Assistant Clerk.

The President appointed Messrs. Newell and Norton Tellers, who reported that 68 votes were polled, and that

| | | |
|-----------|----|--------|
| Adams had | 13 | votes. |
| Bryant, | 8 | " |
| Brown, | 2 | " |
| Burr, | 2 | " |
| Moore, | 3 | " |
| Steele, | 38 | " |
| Jackson, | 2 | " |

—
68

C. W. Steele was declared elected Assistant Clerk.

Mr. Norton offered the following resolution:

Resolved, That this Council do now proceed to nominate and elect an additional Assistant Clerk, to be employed so long as the services of a third Clerk may be deemed requisite.

Which was read twice.

Division being called, the Clerk reported the counts, 37 voting in the affirmative and 14 negative.

On motion

That we now proceed to an election.

Mr. Stuart nominated J. Quincy Adams.
 Smith " Charles R. Abbott.
 Rhoads " Jacob Foster.
 Andress " Geo. H. Moore.
 Hubbard " J. Hervey Bryant.

President appointed Messrs. Butcher and Bishop, tellers, who reported that 68 votes were polled.

| | | |
|-------------------|----|--------|
| J. Quincy Adams, | 57 | votes. |
| Jacob Foster, | 3 | " |
| Geo. H. Moore, | 5 | " |
| J. Hervey Bryant, | 3 | " |

68 votes.

John Quincy Adams was declared elected Assistant Clerk.

Mr. Dennis

Moved that we now proceed to the nomination and election of Sergeant-at-Arms.

Which was agreed to.

Mr. Berry nominated James Zimmerman.
 Larzalere " James P. Frazier.
 Randall " Colin M. Gatchel.
 Rhoads " Jacob Foster,
 Graeff " W. J. Dougherty,

Moved that we proceed to an election.

Messrs. Stuart and Abbey were appointed tellers, who reported that 63 votes were polled.

| | | |
|---------------|----|--------|
| Zimmerman had | 48 | votes. |
| Frazier, | 4 | " |
| Gatchel, | 7 | " |
| Foster, | 1 | " |
| Dougherty, | 1 | " |
| Blank, | 2 | " |

63 votes.

James Zimmerman was declared elected Sergeant-at-Arms of this body.

Mr. Martien offered the following resolution :

Resolved, That this Council inform Select Council that they are ready to receive them in convention, for the purpose of nominating Committing Magistrates for the several Wards of the City, in conformity with the Act of Consolidation.

Which was read twice and agreed to.

Mr. Smith

Moved the re-consideration of the report of the Committee on Organization.

Messrs. Smith and Gillingham called the yeas and nays.

YEAS.—Messrs. Abbey, Address, Berry, Bishop, Balch, Bumm, Binder, Butcher, Copeland, Cowell, Cresswell, Conrad, Crispin, Dunk, Davenport, Dennis, Grove, Griscom, Gillingham, Green, Graeff, Houseman, Harper, Hacker, Hubbard, Hilles, Laws, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Painter, Preston, Read, Stuart, Shuster, Smith, Stallman, Verree, Wickersham, Wagner, Diehl, *President*.

NAYS.—Messrs. Austin, Boswell, Corlies, Dubree, Dougherty, Eastwick, Gibson, Giller, Gray, Gay, Gratz, Hoffman, Hassinger, O'Neill, Randall, Rhoads, Roberts, Scheetz.

Yeas 50 ; nays 17.

So the resolution was re-considered.

Mr. Smith offered the following amendments :

That in Section 5, after 19th, that "20th" be added, and that after Richmond, that "Penn" be added.

And that

Section No. 6 be stricken out.

Which was agreed to.

Mr. Norton

Moved to strike out "matter" and insert "all property belonging to the City."

Which was not agreed to.

Original resolution passed as amended.

Select Council concurred.

Message from Select Council.

Resolved, That the stated meetings of Councils hereafter shall be held on Wednesday at 3 o'clock, instead of Thursday.

Amendment offered by Mr. Moran

To meet on Saturday.

Division called.

29 affirmative, 39 negative.

Amendment offered by Mr. J. Verree, Jr.

To meet on Tuesday.

Which was not agreed to.

Original resolution not concurred in.

Message from Select Council.

With memorial from citizens of 20th Ward, which was read, and the following resolution "concurred" in :

Resolved, That the memorial of the citizens of the late District of Penn, now the 20th Ward, relative to the allotments of the Thompson Street Culvert, in said district, as set forth in said memorial, be received and accepted, and that the Solicitor be and is hereby directed to notify the contractors for the construction of said Culvert under the allotment as set forth, in said memorial, that any work they or either of them may do in the premises will be at their own cost and peril, and will not be recognized as a claim against the City.

Mr. Hacker

Presented a communication from citizens of 19th Ward, contesting the seats of Messrs. Taylor, Corlies and Boyle.

Which was read, (*Appendix No. 8.*)

Motion made to lay on the table.

Which was agreed to.

Mr. Gay offered the following resolution :

Resolved, That the Committee on contested seat of M. J. Dougherty, of 4th Ward, be requested to convene forthwith and prepare a resolution declaring who is elected to fill the seat claimed by him, in this Council, and report before this Council adjourns.

The President decided the resolution out of order.

Mr. Hacker

Moved that the President now proceed to draw the names of the Committee on contested seats of 19th Ward.

The President drew the 17 names, and the contestants retired with the Clerk, and struck six names from the list, and returned the following names as members of said Committee :

Messrs. Conrad, Cresswell, Rhoads, Larzalere, Dunk, Houseman, Berry, Davenport, Watt, Manuel and Balch.

The President called the Committee in front of his desk, all being present but Mr. Watt, they were duly sworn or affirmed to examine into the case.

Mr. Wickersham offered the following resolution :

Resolved, That so much of the Message of the Mayor as refers to the payment of the interest on the public debt, which falls due on the first of July next, to the immediate assessment and collection of taxes, be referred to a joint special committee of four from each Chamber, and that said committee shall have authority to employ such assistance as may be needed.

Committee, Messrs. Wickersham, Giller, Smith and Hacker.

Committee from Select Council, Messrs. Wm. S. Smith, P. A. Keyser, Cornman and Kline.

Mr. Gratz offered the following resolution :

Resolved, That the members of the Select and Common Councils of the Twentieth Ward be, and they are hereby authorized to have a correct measurement of the work already done, on Thompson Street, in the illegal construc-

tion of the culvert along said street, for the purpose of ascertaining what, if any, allowance should be made to those heretofore employed on said work.

Which was read twice and agreed to.

Mr. Norton offered the following resolution :

Resolved, That the Mayor be, and he is hereby directed to issue his proclamation mentioned in the 6th section of the Act of Assembly of this Commonwealth, approved the 2d day of February, 1854, entitled "A further Supplement to an Act entitled an Act to Incorporate the City of Philadelphia," and that in his said proclamation he designate and fix the Fifth day of July next as the time when all the powers, rights, privileges, and immunities, possessed and enjoyed by the several corporations in the said act mentioned, and thereby superseded, and of all officers under them, and also of all the other officers, boards, and authorities, by the said Act superseded, shall cease and terminate.

Which was read.

Mr. Martien

Moved to strike out 5th of July and insert 2d Tuesday.

Mr. Randall

Moved that the resolution and amendment be postponed.

Which was agreed to.

Message from Select Council,

Resolved, That the meetings of the several committees, which have been appointed to take charge of the matters relating to the late municipal corporations, convene as soon as possible, shall be held at the usual place of transacting the public business.

Common Council concurred.

Mr. Randall

Moved that the Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Wards meet Friday afternoon at four o'clock, in this chamber.

Mr. Painter

Moved that the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards meet at the Hall in the Seventeenth Ward.

Mr. Norton

Moved that the First, Second, Third and Fourth Wards, meet on Friday night, at the Hall in Southwark.

So Select Council concurred.

Moved that they employ a Clerk.

Which was not agreed to.

Mr. O'Neill entered his protest in the matter of the contested election of Nineteenth Ward.

The manner in which the committee was drawn, it being illegal for the members of Council to object to the names as drawn out of the box.

On motion,

Adjourned.

THURSDAY, June 22d, 1854.

Council met—Present .

Messrs. Abbey,

Andress,

Austin,

Berry,

Bishop,

Balch,

Bumm,

Binder,

Butcher,

Boswell,

Cowell,

Cresswell,

Conrad,

Corlies,

Crispin,

Dunk,

Davenport,

Dennis,

Dubree,

Dougherty,

Eastwick,

Gibson,

Giller,

Grove,

Gray,

Griscom,

Gillingham,

Gay,

Green,

Graeff,

Houseman,

Hoffman,

Horn,

Hacker,

Messrs. Hubbard,

Hoppel,

Hilles,

Hassinger,

Laws,

Lloyd,

Larzalere,

Mercer,

Moran,

Martien,

Matthews,

Manuel,

Magarge,

Norton,

Newell,

O'Neill,

Pomeroy,

Parham,

Painter,

Preston,

Read,

Randall,

Rhoads,

Roberts,

Stuart,

Schetz,

Shuster,

Smith,

Stallman,

Verree,

Watt,

Wickersham,

Wagner

Diehl, *President.*

Journal being read,

Objection was made by Mr. Norton, that in the nomination of Assistant Clerk, that Mr. Stuart nominated J. Quincy Adams instead of Mr. Norton,

Which was corrected.

Mr. Watt was sworn in by the President as a member of the Committee on contested seats of Nineteenth Ward.

Mr. Andress

Presented a Petition from Messrs. Ryan, Davis, and Blackbyrne, contractors of the Thompson Street Culvert.

Which was read and laid on the table.

Mr. Hacker

Presented a petition from sundry Merchants, relating to cleaning the streets with Mitworth's Patent Street Sweeping Machine,

Which was read, and

Resolution offered by Mr. Hacker, to wit:

Resolved, That a Committee of three be appointed from the Chamber, to confer with Mr. Robert A. Smith, and to examine into the capability of the *Patent Street Cleansing Machine*, as recommended by the petitioners, to do the work of cleansing the streets; and that they be empowered to have the *Machine* that is expected to arrive by the next Steamer to this port tested; and that they report as early as possible thereafter.

Amendment offered by Mr. Smith,

By inserting the word "Joint" in the first line, and striking out "the" in the second line, and insert "each" instead.

Which was agreed to,

And the resolution, as amended, was agreed to.

The President

Appointed Messrs. Hacker, Eastwick, and Watt, the committee on behalf of Common Council.

The President

Laid before Council a communication from John M. Coleman, relating to the Assessment of Taxes, and room for twenty-five Clerks.

Which was read and laid on the table.

Also,

A communication from James B. Chandler, asking the appointment of Printer to the Common Council.

Which was read and laid on the table.

A communication from Clark & Hesser, as applicants for serving the Council with Stationery and Binding.

Which was read and laid on the table.

A communication from Joseph Hufty, soliciting the appointment of Stationer and Blank-Book Binder for this Council,

Which was read and laid on the table.

Also,

A communication from the Board of Health, relating to the bad condition of Prime Street, between Second and Front.

Which was read and referred to the committee of First, Second, Third and Fourth Wards.

Also,

A communication from the Board of Health, (*Appendix No. 9.*)

Which was read and laid on the table.

A communication and petition from John Richards, soliciting the appointment of Printer for Council.

Which was read and laid on the table.

A communication from William H. Maurice, asking to supply the Councils with Blank Books and Stationery.

Which was read and laid on the table.

A communication from William F. Geddes, soliciting the appointment of Printer to Council.

Which was read and laid on the table.

Mr. Randall, chairman of Committee on Fourth Ward,

Made a report, (*Appendix No. 10.*) deciding that M. J. Dougherty was entitled to his seat as a member of this Council.

The Mayor's Clerk entered with a written message from his Honor, the Mayor.

To the President of Common Council :

SIR :

I have this day approved and signed an Ordinance, entitled " An Ordinance establishing the Seal of the City of Philadelphia."

R. T. CONRAD,
Mayor.

Mr. Wickersham, chairman of Special Committee on Finance and Collection of Taxes,

Made the following report, (*Appendix No. 11.*) with a Bill annexed, entitled

An Ordinance to make an appropriation to pay the interest on the funded debt of the City of Philadelphia, falling due on the first day of July, 1854.

Which was read.

On motion,

Council proceed to the second reading and consideration of the bill annexed to the report.

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The fourth section being under consideration,

Mr. Gay

Moved to strike out " Girard Bank," and insert " Southwark Bank."

Question on the amendment being taken.

Messrs. Randall and Smith called the yeas and nays, which were as follows :

YEAS—Messrs. Abbey, Address, Berry, Bishop, Bumm, Binder, Davenport, Dennis, Dougherty, Gibson, Grove, Gray, Gillingham, Green, Houseman, Horn, Hoppel, Mercer, Martien, Manuel, Norton, O'Neill, Painter, Stuart, Scheetz.

NAYS—Messrs. Austin, Balch, Butcher, Boswell, Cowell, Cresswell, Conrad, Corlies, Crispin, Dunk, Dubree, Eastwick, Giller, Griscom, Gay, Graeff, Hoffman, Hacker, Hubbard, Hilles, Hassinger, Laws, Lloyd, Larzalere, Moran, Matthews, Magarge, Newell, Pomeroy, Parham, Preston, Read, Randall, Rhoads, Roberts, Shuster, Smith, Stallman, Verree, Watt, Wickersham, Wagner, Diehl, *President*.

Yeas 25 ; nays 43.

So the amendment was not agreed to.

Mr. Norton

Moved to amend by inserting "Southwark Bank."

Mr. Painter

Moved to amend to include "Kensington Bank."

Which was not agreed to.

Messrs. O'Neill and Smith called the yeas and nays on the question relating to inserting "Southwark Bank," which were as follows :

YEAS—Messrs. Abbey, Address, Austin, Berry, Bishop, Bumm, Corlies, Dunk, Davenport, Dennis, Dubree, Dougherty, Gibson, Grove, Gray, Griscom, Gillingham, Gay, Green, Graeff, Houseman, Hoffman, Horn, Hoppel, Laws, Mercer, Moran, Martien, Manuel, Norton, Newell, O'Neill, Parham, Painter, Read, Randall, Stuart, Scheetz, Shuster.

NAYS—Messrs. Balch, Binder, Butcher, Boswell, Cowell, Cresswell, Conrad, Crispin, Eastwick, Giller, Hacker, Hubbard, Hilles, Hassinger, Lloyd, Larzalere, Matthews, Magarge, Pomeroy, Preston, Rhoads, Roberts, Smith, Stallman, Verree, Watt, Wickersham, Wagner, Diehl, *President*.

Yeas 39 ; nays 29.

So the amendment was agreed to.

Question on section four, as amended, was read, and

Mr. Boswell offered an amendment.

Provided, These several banks selected shall be willing

at all times to lend the City such amount of money as they may want, in equal proportions, for a period not longer than sixty days.

Amendment withdrawn.

Message from Select Council, fourth section as amended, was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Select Council concurred.

Mr. Randall, Chairman of Joint Special Committee to procure suitable rooms for the meetings of Councils, made report, (*Appendix No. 12,*) and asked the adoption of the following resolution, to wit :

Resolved, That the centre portion of the State House Building, up stairs, be selected for the permanent meetings of these Councils ;and that the Clerks of these Councils be directed to make the necessary alterations, subject, however, to the directions and supervision of the Committee heretofore appointed.

Mr. Giller offered an amendment :

Resolved, That until such time as the chambers in the State House shall be ready for the reception of Councils, the committee be instructed to procure the Sansom Street Hall for the meeting of Councils.

Which was not agreed to.

Mr. Green

Moved to amend that the Councils meet at Commissioners' Hall, Spring Garden.

Which was not agreed to.

The original resolution being read twice it was agreed to.

Mr. Griscom offered the following resolution:

Resolved, That the City Commissioners be, and they are

hereby directed to have Fifth Street, to the distance of two hundred feet southwardly from Chestnut Street, covered with tan, until the place of meeting of Councils shall have been changed.

Which was read.

Council proceeded to the second reading and consideration of the resolution.

Messrs. O'Neill and Bumm called the yeas and nays.

YEAS—Messrs. Binder, Butcher, Corlies, Davenport, Dennis, Dougherty, Eastwick, Giller, Grove, Gray, Griscom, Graeff, Houseman, Horn, Hilles, Hassinger, Laws, Larzalere, Magarge, Newell, Pomeroy, Preston, Randall, Rhoads, Roberts, Watt, Wickersham, Wagner.

NAYS—Messrs. Abbey, Address, Austin, Berry, Bishop, Balch, Bumm, Boswell, Cowell, Cresswell, Conrad, Crispin, Dunk, Dubree, Gibson, Gillingham, Gay, Green, Hoffman, Hubbard, Hoppel, Lloyd, Mercer, Martien, Matthews, Manuel, Norton, O'Neill, Parham, Painter, Read, Scheetz, Shuster, Stallman, Verree, Diehl, *President*.

Yeas 28 ; nays 36.

So the resolution was lost.

Mr. Norton, Chairman of Committee of 1st, 2d, 3d, and 4th Wards, made a report, (*Appendix No.13.*) accompanied by the following resolution :

Resolved, That in the opinion of these Councils, the Corporations of Southwark, and Moyamensing, and the Supervisors of the township of Passyunk, should continue to maintain their proper police regulations, their arrangements for a supply of water, and to cleanse and keep in repair the streets, lanes and alleys, within their respective corporate limits ; and that they should also pay salaries, wages, and for labor and materials, under the supervision of this Committee, until their powers shall be divested by the Mayor's Proclamation.

Which was read twice, and agreed to.

Select Council

Informs this Council that they have passed the following resolution :

Resolved, That the local committees appointed to take

charge of the business of the late corporations, be requested to report at the next meeting of Councils, the contracts (if there be any,) for cleansing the streets in their respective districts, with a statement of the present condition of the streets, and with the recommendation of such measures as they may think best calculated to promptly cleanse and keep clean all the streets, alleys and gutters, in their several districts.

Common Council concurred.

Mr. Randall offered an ordinance (*Appendix No. 14*) to make an appropriation for cleansing the streets of the City of Philadelphia.

Which was read

Council proceeded to the second reading and consideration of the ordinance.

The first and only section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Select Council non-concurred.

Select Council

Informs this Council that they have concurred in the resolution relating to the Thompson Street Culvert, with the following amendment: insert after word "the" in fifth line, the word "alleged."

Common Council concurred in the amendment.

Also,

That they had referred the petition of the contractors of the Thompson Street Culvert to the members of Councils from the 20th Ward.

Common Council concurred.

Mr. Pomeroy

Presented a communication from the Committee of Councils from 13th, 14th, and 15th, Wards. (*Appendix No. 15.*)

Which was read, and laid on the table.

Mr. Laws offered the following resolution :

Resolved, That the recommendations of the Board of Health, relative to the purifying of the inlets and the washing of the gutters of the City, be referred to the committees having in charge the various districts comprising the consolidated City, with instructions to have the same complied with.

Which was agreed to.

Mr. Mercer

Offered an Ordinance relating to the taking and destroying of dogs.

Which was read.

Mr. Boswell

Moved to indefinitely postpone the further consideration of the subject.

Which was not agreed to.

Mr. Mercer

Moved, that Council proceed to the second reading and consideration of the bill.

Division being called,

41 members voted in the affirmative, and 5 in the negative.

Which was agreed to.

Mr. Newell

Moved to suspend the reading, and have it printed for the Members.

Which was not agreed to.

The first section being read, the yeas and nays were called by Messrs. Smith and Wickersham.

Which resulted as follows :

YEAS—Messrs. Austin, Berry, Bishop, Cowell, Cresswell, Davenport, Dennis, Dubree, Dougherty, Gibson, Giller, Grove, Gillingham, Gay, Graeff, Hubbard, Hilles, Mercer,

Moran, Martien, Manuel, Magarge, O'Neill, Pomeroy, Parham, Painter, Read, Roberts, Scheetz, Stallman.

NAYS—Messrs. Abbey, Address, Balch, Bumm, Binder, Butcher, Boswell, Conrad, Corlies, Eastwick, Griscom, Green, Horn, Hacker, Hoppel, Hassinger, Laws, Lloyd, Larzalere, Matthews, Norton, Newell, Rhoads, Shuster, Smith, Verree, Wickersham, Wagner, Diehl, *President*.

Yeas 39 ; nays 30.

So the bill was lost.

Message from Select Council informing this Council that they had passed the following resolution :

Resolved, That the Honorable Robert T. Conrad, Mayor of the City of Philadelphia, be requested to issue his proclamation, forthwith, dissolving the different corporations superseded by the 6th section of the act consolidating the City of Philadelphia to take effect on the thirtieth inst.

Messrs. Norton and Moran, called the yeas and nays,

Which resulted as follows :

YEAS—Messrs. Address, Austin, Berry, Bishop, Balch, Bumm, Binder, Butcher, Boswell, Cowell, Conrad, Dunk, Davenport, Eastwick, Gibson, Grove, Gray, Griscom, Gillingham, Gay, Green, Graeff, Houseman, Hoffman, Horn, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Laws, Lloyd, Mercer, Martien, Matthews, Manuel, Magarge, Newell, Pomeroy, Parham, Painter, Rhoads, Roberts, Smith, Stallman, Verree, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Cresswell, Corlies, Dennis, Dubree, Dougherty, Giller, Larzalere, Moran, Norton, O'Neill, Read, Randall, Scheetz, Shuster.

Yeas 49 ; nays 15.

So Common Council concurred.

Mr. Hacker offered report of Committee of 11th and 12th Wards, (*Appendix No. 16.*)

Which was read and laid on the table.

Mr. Pomeroy offered the following resolution :

Resolved, That a Committee of five be appointed to act

in conjunction with a similar committee from Select Council, to make the necessary arrangements for the celebration of our National Anniversary ; and that said Joint Committee be authorised to expend a sum not exceeding three thousand dollars, for the purpose of carrying out said object, which amount will be duly appropriated by Councils at the proper time.

Which was read and laid on the table.

Mr. Gray offered the following preamble and resolution :

Whereas, The country is threatened with a general attack of the disease, known as the Asiatic Cholera, and it is very proper that its attack should be met with promptness—it is therefore,

Resolved, That a committee of three members from each branch of the Councils of the City of Philadelphia be appointed to act in conjunction with the Board of Health of said City, as a Sanitary Committee, whose duty it shall be to promote, in every possible way, the security of the City against contagion, and the prevalence of the Asiatic Cholera.

Which was read, and indefinitely postponed.

Mr. O'Neill offered the following preamble and resolution :

Whereas, A number of the citizens of Philadelphia, have lost their lives during the last ten years, by being burned in factories, caused by the buildings not having sufficient stairs from the upper stories, and by walls falling, &c.

Therefore, be it

Resolved, That a committee of five be appointed to report an ordinance for the better protection of the lives of our fellow-citizens.

Which was read twice and agreed to.

President appointed,

Messrs. O'Neill, Copeland, Norton, Boswell, and Lloyd, on the committee.

On motion,

Adjourned until Thursday next, at 3 o'clock.

THURSDAY, June 29, 1854.

Council met—Present

Messrs. Abbey,
 Andress,
 Austin,
 Berry,
 Bishop,
 Balch,
 Bumm,
 Binder,
 Butcher,
 Boswell,
 Copeland,
 Cowell,
 Cresswell,
 Conrad,
 Crispin,
 Dunk,
 Davenport,
 Demis,
 Dubree,
 Dougherty,
 Eastwick,
 Gibson,
 Giller,
 Grove,
 Gray,
 Griscom,
 Gillingham,
 Gay,
 Green,
 Gratz,
 Graeff,
 Houseman,
 Hoffinan,
 Horn,

Messrs. Hacker,
 Hubbard,
 Hoppel,
 Hilles,
 Hassinger,
 Lloyd,
 Larzalere,
 Mercer,
 Moran,
 Martien,
 Matthews,
 Manuel,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Pomeroy,
 Parham,
 Painter,
 Preston,
 Read,
 Randall,
 Rhoads,
 Roberts,
 Stuart,
 Scheetz,
 Shuster,
 Smith,
 Stallman,
 Verree,
 Watt,
 Wagner,
 Diehl, *President.*

Mr. Crispin presented

A Communication from F. M. Wynkoop, United States Marshall, relating to the occupancy of the rooms of the Philosophical Society.

Which was read and laid on the table.

Mr. Balch presented

A petition from Lane Schofield, soliciting the appointment of Commissioner of Highways.

Which was read and laid on the table.

Mr. Larzalere presented

One of like import from Parkurst Shurlock, of 14th Ward.

Which was read and laid on the table.

Mr. W. F. Smith,

Presented a communication from Wm. A. Rolin, Secr'y of the Fire Department, soliciting the appointment of a Committee on Councils to consider the best mode of re-organizing the Fire Department.

Which was read and laid on the Table for the present.

Mr. Martien

Presented a petition from property holders in the vicinity of Chester, Race, and Eighth Streets, requesting Councils to build a culvert in Race between Eighth and Chester.

Which was read and laid on the table.

The President

Presented a communication from John Coats, soliciting a share of the Printing of Councils.

Which was laid on the table.

The President

Presented a communication from Thomas S. Davis,

Thomas Ryan and George Blackbyrne, relating to the Thompson Street Culvert.

Which was laid on the table.

The President

Presented a communication from Frederick Graeff, offering himself as a candidate for the office of Chief Engineer of the Water Works of the City.

Which was laid on the table.

The President

Presented a communication from R. S. R. Andrews, offering himself as a candidate for Register of Water.

Which was laid on the table.

The President

Presented a communication from Charles Doores, Jr., offering himself as a candidate for City Printer.

Which was laid on the table.

The President

Presented a petition signed by sundry citizens, recommending Wm. D. Franks, of the 14th Ward, as Commissioner of Highways.

Which was laid on the table.

The President

Presented a petition signed by sundry citizens, recommending Joseph Riblett, of 10th Ward, as Superintendent of one of the Public Squares.

Which was laid on the table.

The President

Presented a communication from Benjamin Whitecar, of 14th Ward, offering himself as a candidate for Commissioner of Highways.

Which was laid on the table.

The President

Presented a petition from sundry citizens recommending Jacob Bechtel, as Superintendent of one of the Public Squares.

Which was laid on the table.

Mr. Crispin offered the following resolution:

Resolved, That the Clerk be, and he is hereby directed to inform F. M. Wynkoop, U. S. Marshal, that the United States will not be required to vacate the premises now occupied by them, until the rooms at present occupied by the Mayor, and leased by the United States, be surrendered into their possession.

Which was twice read and not agreed to.

Mr. Gillingham

Chairman of Committee of 16th, 17th, 18th and 19th Wards, presented a Report (*Appendix No. 17.*) with an inventory of Kensington, Richmond and Penn Districts.

Which was read and laid on the table for the present.

Mr. Hoppel

Offered a resolution relating to abatement on water pipes, &c.

After being read it was withdrawn.

Mr. Pomeroy offered the following resolution:

Resolved, That the Clerk be authorized to procure a new City Seal and Press, for the use of the City.

Which was read twice and agreed to.

Mr. Mercer offered the following resolution:

Resolved, That a committee of three be appointed to ascertain by whose authority, or by what right, or in virtue of what act, the Directors of the Philadelphia, Wilmington,

and Baltimore Railroad Company run the locomotive on Washington Street through the Second Ward.

Which was twice read and agreed to.

President appointed Messrs. Mercer, Bishop, and Bumm on the Committee.

Mr. Martien offered the following resolution:

Resolved, If Select Council concur, that a joint special committee of five from each Chamber, be appointed to confer with the committee appointed by the Fire Department, for the purpose of considering the best mode of re-organizing the Fire Department of Philadelphia.

Yeas and nays called by Messrs. Smith and Graeff.

Yeas—Messrs. Andress, Austin, Berry, Bishop, Balch, Binder, Butcher, Copeland, Cowell, Conrad, Dunk, Davenport, Dennis, Dubree, Dougherty, Eastwick, Gibson, Grove, Gillingham, Gay, Gratz, Graeff, Houseman, Horn, Hacker, Hilles, Hassinger, Larzalere, Mercer, Moran, Martien, Megargee, Norton, Newell, O'Neill, Pomeroy, Parham, Preston, Rhoads, Roberts, Stuart, Sheetz, Smith, Stallman, Wagner, Diehl—46.

Nays—Messrs. Abbey, Bumm, Boswell, Criswell, Crispin, Giller, Green, Hoffman, Hubbard, Hopple, Lloyd, Matthews, Manuel, Painter, Randall, Verree—16.

Which was twice read and agreed to.

The President

Appointed, on behalf of Common Council, Messrs. Martien, Andress, Boswell, Dennis and Balch.

Select Council appointed the following committee:

Messrs. Sandgram, P. A. Keyser, Waterman, Kline and Stokes.

Mr. Balch offered the following resolution:

Resolved, That a committee of three be appointed from each branch of Council, to inquire into and report upon the propriety of procuring suitable buildings for the security of the public records, the accommodation of the courts, and the City officers.

Which was read twice and agreed to.

The President

Appointed, on behalf of Common Council, Messrs. Balch, Lloyd and Megargee.

Select Council non-concurred.

Mr. Newell offered the following resolution:

Resolved, That, until otherwise ordered, the City Controller be authorized to occupy the rooms heretofore used by the County Commissioners, and that the City Commissioner be authorized to occupy the room that will be vacated by the County Auditors.

Mr. Moran

Moved to strike out "County Commissioners," and insert "County Board."

Mr. Painter

Moved that the resolution be referred to the Committee to procure suitable rooms.

The amendment was agreed to, and the resolution was referred to the committee.

Mr. Dennis offered the following resolution:

Resolved, That Councils meet at Spring Garden Hall, until such time as the Committee of Councils shall have prepared a permanent and convenient place of meeting.

Which was read, and

Messrs. Copeland and Eastwick demanded the yeas and nays.

Which were as follows:

YEAS.—Messrs, Address, Austin, Berry, Binder, Butcher, Boswell, Cowell, Criswell, Conrad, Dunk, Davenport, Dennis, Dubree, Grove, Gray, Gay, Green, Gratz, Graeff, Horn, Hacker, Hubbard, Hopple, Hilles, Lloyd, Larzalere, Martien,

Matthews, Manuel, Magarge, Newell, O'Neill, Pomeroy, Parham, Preston, Rhoads, Smith, Stallman, Verree, Wagner, Diehl, *President*—41.

NAYS.—Messrs. Abbey, Bishop, Balch, Bumm, Copeland, Crispin, Dougherty, Eastwick, Gibson, Giller, Gillingham, Houseman, Hoffinan, Hassinger, Mercer, Moran, Norton, Painter, Randall, Roberts, Stuart, Scheetz—22.

Yeas, 41; Nays, 22.

So the resolution was agreed to.

Select Council non-concurred.

Mr. Norton, Chairman of Committee from First, Second, Third, and Fourth Wards, presented report, (*Appendix No. 18,*) and offered the following resolutions:

Resolved, That the committee be discharged from the further consideration of the resolution of the Board of Health, referred to them, concerning the condition of Prime Street.

Resolved, by the Select and Common Council, That the Superintendent of Highways for the District of Moyamensing be, and he is hereby, authorized to employ the services of twelve men and four horses, in addition to the force now in operation under the contractor for cleansing the streets in said District, for the purpose of a thorough cleansing and keeping clean of the streets, lanes, courts, and alleys of the said District, under the supervision of this Committee, until otherwise directed by the authority of the City of Philadelphia, and that twenty per cent. of the sum contracted to be paid to James McCoy, for cleansing said streets be withheld for the present.

Which were twice read and agreed to.

Communication from the Mayor was read, and ordered to be placed on the Journal.

MAYOR'S OFFICE,
PHILADELPHIA, June 28, 1854.

To the President of Common Council:

SIR:—I have approved and signed the Resolution of Councils directing the Mayor to issue his

Proclamation, fixing a period for the termination of the various municipalities in the County of Philadelphia, and have issued the Proclamation as contemplated in said Resolution.

I have also approved and signed an ordinance entitled "An Ordinance to make an appropriation to pay the interest on the funded debt of the City of Philadelphia, falling due on the 1st day of July, 1854.

R. T. CONRAD,

Mayor.

Message from Select Council was read with the Report of the Committee of fifth, sixth, seventh, eighth, ninth and tenth wards.

(*Appendix No. 19,*) with the following resolution :

Resolved, That the subject of the Report in relation to Cleansing of the City, be referred to this Local Committee as named in the Report, with power to act.

Also, An ordinance (*Appendix No. 20,*) entitled "An Ordinance to make appropriations to pay the salaries of the Teachers and Housekeepers in the Public Schools, which will become due on the first day of July, 1854, and to pay wages of Police, Watchmen and Lamplighters, due at that time."

Common Council concurred.

Mr. Martien

Presented a communication from the Good Will Fire Company, requesting the use of the North West Market House on Wednesday, July 5th, to entertain the Live Oak Fire Company, No. 44, of New York.

Which was read, and the prayer of the petitioners granted.

Select Council concurred.

Resolution of Select Council relating to the Communication of the United States Marshal, was non-concurred in.

Mr. Moran offered the following resolution:

Resolved, That when this Council adjourn, they adjourn to meet at this place to-morrow afternoon, at three o'clock.

The President

Decided the resolution out of order.

Mr. Dennis offered the following resolution:

Resolved, That the members representing the Thirteenth, Fourteenth, and Fifteenth Wards, be empowered to have the rooms of the Commissioners' Hall, Spring Garden, arranged so as to accommodate Councils, until otherwise ordered; and that said committee remove such furniture from this chamber as may be required for the furnishing of said rooms.

Mr. Crispin,

Moved that the resolution be postponed for the present.

Which was not agreed to.

So the original resolution was twice read and agreed to.

Select Council non-concurred.

Mr. Pomeroy offered the following resolution:

Resolved, That when Councils adjourn, they adjourn to meet on Monday next; and that meetings of Councils hereafter, until the city be fully organized, be on Mondays, Wednesdays, and Thursdays, at 3 o'clock.

Which was twice read.

Mr. Hacker

Moved to amend by inserting five o'clock.

Mr. Verree

Moved to amend by inserting three o'clock.

The yeas and nays were called on the amendment of Mr. Verree by Messrs. Crispin and Randall,

And resulted as follows:

YEAS.—Messrs. Andress, Austin, Berry, Bishop, Balch, Butcher, Boswell, Cowell, Cresswell, Crispin, Dunk, Dennis, Dubree, Dougherty, Eastwick, Gray, Gillingham, Gay, Graeff, Houseman, Horn, Hubbard, Hilles, Hassinger, Lloyd,

Larzalere, Mercer, Moran, Martien, Matthews, Magarge, Norton, Newell, O'Neill, Pomeroy, Parham, Painter, Preston, Randall, Roberts, Smith, Stallman, Verree, Wagner, Diehl, *President*—45.

NAYS.—Messrs. Abbey, Bumm, Binder, Copeland, Conrad, Davenport, Gibson, Giller, Grove, Green, Gratz, Hoffman, Hacker, Hoppel, Manuel, Rhoads, Scheetz—17.

Yeas, 45; Nays, 17.

Mr. Verree

Moved to strike out "Wednesday."

Which was agreed to.

Mr. Moran

Moved to amend by adding "Saturday."

Which was not agreed to.

The resolution, as amended, was agreed to.

Select Council concurred.

Mr. Boswell read in place an Ordinance to fix the salary of the Mayor. (*Appendix No. 22.*)

Which was read twice.

Section 1 being under consideration,

Mr. Martien

Moved to fill the blank up with eight thousand dollars.

Mr. Randall

Moved to refer to Committee on Organization.

Messrs. Randall and Moran called the yeas and nays,

And resulted as follows:

YEAS.—Messrs. Abbey, Crispin, Dougherty, Gray, Gay, Hoffman, Matthews, Painter, Randall, Watt—10.

NAYS.—Messrs. Address, Austin, Berry, Bishop, Balch, Bumm, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Conrad, Dunk, Davenport, Dennis, Dubree, Eastwick, Gibson, Giller, Grove, Gillingham, Green, Gratz, Graeff, Houseman, Horn, Hacker, Hubbard, Hoppel, Hilles, Hasinger, Lloyd, Larzalere, Mercer, Moran, Martien, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Preston, Rhoads, Scheetz, Verree, Wagner, Diehl, *President*—49.

Yeas, 10; Nays, 49.

The reference was not agreed to.

Mr. Abbey

Moved that the further consideration of the ordinance be postponed until our next meeting.

Messrs. O'Neill and Abbey demanded the yeas and nays.

Which were as follows :

YEAS.—Messrs. Abbey, Balch, Conrad, Crispin, Dubree, Dougherty, Giller, Gray, Gay, Hoffman, Hassinger, Matthews, Manuel, Magarge, O'Neill, Painter, Randall, Roberts, Sheetz, Stallman, Verree and Watt—22.

NAYS.—Messrs. Andress, Austin, Berry, Bishop, Bumm, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Dunk, Davenport, Dennis, Eastwick, Gibson, Grove, Gillingham, Green, Gratz, Graeff, Houseman, Horn, Hacker, Hubbard, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Moran, Martien, Norton, Newell, Pomeroy, Parham, Preston, Rhoads, Smith, Wagner and Diehl, *President*—41.

So the reference was not agreed to.

Mr. Gibson

Moved to substitute \$6,000 for \$8,000.

Mr. Balch

Moved to substitute \$5,000 instead of \$6,000.

Yeas and nays were demanded on Mr. Balch's amendment, by Messrs. Crispin and Balch.

Which were as follows :

YEAS.—Messrs. Abbey, Andress, Balch, Crispin, Dubree, Dougherty, Gay, Hoffman, Hassinger, O'Neill and Scheetz.—Yeas 11.

NAYS.—Messrs. Andress, Berry, Bishop, Bumm, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Conrad, Dunk, Davenport, Dennis, Eastwick, Gibson, Giller, Grove, Gray, Gillingham, Green, Gratz, Graeff, Houseman, Horn, Hacker, Hubbard, Hoppel, Hilles, Lloyd, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Painter, Preston, Randall, Rhoads, Roberts, Smith, Stallman, Verree, Watt, Wickersham, Wagner and Diehl, *President*—Nays 51.

So the amendment to the amendment was not agreed to.

The amendment was not agreed to.

The question recurring on the original resolution to fill the blank with \$8,000.

The yeas and nays were demanded by Messrs. Balch and Hassinger.

Which were as follows :

YEAS.—Messrs. Andress, Berry, Bishop, Bumm, Binder, Butcher, Boswell, Copeland, Cowell, Conrad, Dunk, Davenport, Dennis, Eastwick, Giller, Grove, Gray, Gillingham, Green, Gratz, Graeff, Houseman, Hoffman, Horn, Hacker, Hubbard, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, Pomeroy, Parham, Preston, Randall, Rhoads, Smith, Stallman, Wagner and Diehl, *President*—Yeas 46.

NAYS.—Messrs. Abbey, Austin, Balch, Cresswell, Crispin, Dubree, Dougherty, Gibson, Gay, Hassinger, Magarge, O'Neill, Roberts, Sheetz, Shuster, Verree and Watt—Nays 17.

So the resolution was agreed to.

First section with the blank filled was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then by special order read the third time.

When the yeas and nays were demanded by Messrs. Abbey and Moran.

Which were as follows :

YEAS.—Messrs. Andress, Berry, Bishop, Bumm, Binder, Butcher, Boswell, Copeland, Cowell, Conrad, Dunk, Davenport, Dennis, Eastwick, Giller, Grove, Gray, Gillingham, Green, Gratz, Graeff, Houseman, Hoffman, Horn, Hacker, Hubbard, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, Pomeroy, Parham, Preston, Randall, Rhoads, Smith, Stallman, Verree, Watt, Wagner and Diehl, *President*—Yeas 48.

NAYS.—Messrs. Abbey, Austin, Balch, Cresswell, Dubree, Dougherty, Gay, Hassinger, Magarge, O'Neill, Roberts, Sheetz and Shuster—Nays 13.

So the bill was agreed to.

Select Council non-concurred.

Message from Select Council

Informing this council that they had concurred in the resolution of Common Council, with the following amendment:

All after the word "Monday" to be stricken out, and "3 P. M." inserted after Monday.

Common Council refused to concur in the amendment.

Also, That Select Council had passed an ordinance (*Appendix No. 23.*) entitled an Ordinance providing for the appointment of the Standing Committees of Councils.

Which was read, and

The 1st section being under consideration

Mr. Norton

Moved to amend by adding No. 17, Committee on Public Landings, Port Wardens and Wharves.

Which was agreed to.

Mr. Verree

Moved to amend by adding No. 18, Committee on Department of Law.

Also, in line 12, after "Property," add "and Public Grounds."

Which was agreed to.

Mr. Boswell

Moved that the further consideration of the Ordinance be postponed.

Which was not agreed to.

Mr. Smith

Moved to insert in the 14th line, after the word "Trusts," "and the Fire Department."

Which was agreed to.

Mr. Norton

Moved to amend by adding No. 19, a Committee on Market-houses.

And No. 20, a Committee on Election divisions.

Which was agreed to.

Mr. Boswell

Moved to strike out "6" in line 4, and insert "5."

Which was not agreed to.

Mr. Gillingham

Moved to amend by inserting in the 11th line, after the word "sewers," the word "culverts."

Which was agreed to.

The first section as amended was agreed to.

The second section being under consideration,

Mr. Norton

Moved to amend after "15" in the first line, to insert "16th, 17th and 19th," and to strike out "and" before 15th; also, in the 7th line after "schools" to add "surveys and regulations, railroads, claims, comparing bills, public landings, port wardens and wharves, law, market-houses and election divisions.

Which was agreed to.

Mr. Newell

Moved to postpone the further consideration of the bill until the next meeting.

Which was not agreed to.

Mr. Smith

Moved to amend in the first line, by inserting the enacting clause.

Which was agreed to.

The second section being read as amended was agreed to.

The third section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then by special order read a third time, and passed finally.

Message from Select Council

Informing Common Council that they had concurred in the Ordinance relating to the salary of the Mayor, with an amendment, to strike out "eight" and insert "six."

Mr. Moran

Moved that this Council concur.

And the yeas and nays demanded by Messrs. Moran and Berry.

Which were as follows :

AYES.—Messrs. Abbey, Austin, Balch, Cresswell, Dubree, Dougherty, Gibson, Griscom, Gay, Hoffman, Hassinger, Magarge, Stuart, Scheetz, Shuster, Verree, Watt.

NAYS.—Messrs. Andress, Berry, Bishop, Binder, Butcher, Boswell, Copeland, Cowell, Conrad, Dunk, Davenport, Dennis, Eastwick, Giller, Grove, Gillingham, Green, Gratz, Graeff, Houseman, Horn, Hacker, Hubbard, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, Pomeroy, Parham, Painter, Randall, Rhoads, Smith, Stallman, Wagner, Diehl, *President*.

Ayes, 17. Nays, 43.

So Common Council refused to concur.

Select Council also informs this Council that they had passed an Ordinance "Prescribing the powers and duties of the City Controller."

The Ordinance being under consideration,

Mr. Boswell

Moved the further consideration of the Ordinance be postponed.

The yeas and nays were demanded by Messrs. Boswell and Eastwick.

And were as follows :

AYES.—Messrs. Butcher, Boswell, Dennis, Eastwick, Grove, Griscom, Gay, Hoffman, Hoppel, Martien, Stuart, Scheetz.

NAYS.—Messrs. Abbey, Address, Austin, Bishop, Balch, Bumm, Binder, Copeland, Cowell, Cresswell, Conrad, Dunk, Davenport, Dubree, Dougherty, Giller, Gillingham, Green, Graeff, Houseman, Horn, Hacker, Hubbard, Hilles, Hasinger, Lloyd, Larzelere, Mercer, Moran, Matthews, Manuel, Magarge, Norton, Newell, Parham, Painter, Randall, Rhoads, Shuster, Smith, Stallman, Verree, Wagner, Diehl,
President—Ayes, 12. Nays, 44.

The first section was read and agreed to.

The second section was read and agreed to.

The third section was read and agreed to.

The fourth section was read and agreed to.

The fifth section was read and agreed to.

The sixth section was read and agreed to.

The seventh section was read and agreed to.

The eighth section was read and agreed to.

The ninth section was read and agreed to.

The tenth section was read and agreed to.

The eleventh section was read and agreed to.

The twelfth section was read and agreed to.

The title was read and agreed to.

The bill ordered to be prepared for a third reading.

It was then, by special order, read the third time and passed.

Mr. Smith

Moved that Selet Council be informed that this Council will adjourn in fifteen minutes, unless prevented by business from them.

Mr. Newell offered the following resolution :

Resolved, The Clerk of this Chamber of Council be in-

structed to have the Journal of the proceedings of Council printed in pamphlet form, for the use of the members, until otherwise directed.

Which was agreed to.

Mr. Cowell offered the following resolution:

Resolved, That a committee of three from each Chamber be appointed to procure ten bands of music, to be placed at different stations, according to the discretion of the committee, for celebrating the Anniversary of our National Independence.

Which was read twice and not agreed to.

Mr. Boswell

Moved to re-consider the first section of the Ordinance relative to the taking of dogs.

Messrs. Mercer and Gillingham demanded the yeas and nays.

Which were as follows:

YEAS.—Messrs. Abbey, Address, Austin, Berry, Bishop, Bumm, Binder, Boswell, Copeland, Crowell, Cresswell, Dunk, Davenport, Dubree, Dougherty, Gibson, Giller, Griscom, Gillingham, Gay, Graeff, Horn, Hacker, Hubbard, Hilles, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Magarge, Pomeroy, Randall, Roberts, Stuart, Scheetz, Shuster, Stallman, Diehl—40.

NAYS.—Messrs. Butcher, Conrad, Dennis, Eastwick, Green, Newell, Parham, Rhoads, Verree, Wagner—10.

Yeas, 40; Nays, 10.

So the section was re-considered.

Mr. Mercer

Moved the further consideration of the ordinance be postponed for the present.

Which was agreed to.

Mr. Boswell

Moved to adjourn.

Mr. Randall

Moved to amend to meet on Monday next at three o'clock.

Which was not agreed to.

Mr. Moran

Moved a re-consideration of the vote engaging ten bands of music on the Fourth day of July.

The yeas and nays were demanded by Messrs. Moran and Pomeroy,

And were as follows:

YEAS.—Messrs. Bumm, Cowell, Cresswell, Hoffman, Moran, Martien, Newell, Pomeroy, Smith, Wagner, Diehl, *President*.—11.

NAYS.—Messrs. Abbey, Andress, Austin, Binder, Butcher, Boswell, Conrad, Davenport, Dubree, Dougherty, Eastwick, Gibson, Giller, Gillingham, Gay, Green, Horn, Hacker, Hubbard, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Matthews, Manuel, Magarge, Norton, Parham, Rhoads, Roberts, Stuart, Scheetz, Shuster—34.

Yeas, 11; Nays, 34.

So the re-consideration was not agreed to.

Message from Select Council,

Informing Council that they had concurred in the amendments to the Ordinance relating to Standing Committees, except the 20th, relating to Committee on Election Divisions.

Mr. Abbey

Moved that this Council recede.

Which was agreed to.

Also from Select Council,

Informing this Council that they insist on their amendment on the salary of the Mayor, and asked for a Committee of Conference on the difference between the two bodies.

And that they have appointed, on the part of Select Council, Messrs. Duffee, N. L. Keyser and Cornman.

Mr. Newell

Moved that a Committee of Conference be appointed.
Which was agreed to.

The President

Appointed on behalf of Common Council, Messrs. Moran,
Hoppel and Cowell.

On motion,

Adjourned.

MONDAY, July 3, 1854.

Council met—Present,

Messrs. Abbey,
 Andress,
 Berry,
 Bishop,
 Balch,
 Bumm,
 Binder,
 Butcher,
 Boswell,
 Copeland,
 Cowell,
 Cresswell,
 Conrad,
 Crispin,
 Dunk,
 Davenport,
 Dennis,
 Dubree,
 Dougherty,
 Eastwick,
 Gibson,
 Giller,
 Grove,
 Gray,
 Griscom,
 Gay,
 Green,
 Gratz,
 Graeff,
 Houseman,
 Hacker,

Messrs. Hubbard,
 Hoppel,
 Hilles,
 Hassinger,
 Lloyd,
 Larzalere,
 Mercer,
 Moran,
 Martien,
 Matthews,
 Manuel,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Pomeroy,
 Painter,
 Preston,
 Randall,
 Rhoads,
 Roberts,
 Stuart,
 Scheetz,
 Shuster,
 Smith,
 Stallman,
 Verree,
 Wickersham,
 Wagner,
 Diehl, *President.*

Mr. Giller

Presented a petition from Mr. Michael Fullmore, soliciting the appointment of Clerk of the 11th Street Market.

Which was read and laid on the table.

Mr. Randall

Presented a petition from James A. Bowie, soliciting the appointment of Commissioner of Highways.

Which was read and laid on the table.

Mr. Hoppel

Presented a communication from the pastor and congregation of Mt. Zion Methodist Protestant Church, desiring the use of the Commissioner's Hall, Kensington, for religious worship.

Which was read and laid on the table for the present.

Mr. Martien

Presented a petition from Charles J. Davis, of Tenth Ward, soliciting the appointment of Commissioner of Highways.

Which was read and laid upon the table.

The same gentleman

Also presented one from Samuel Johnson, of Tenth Ward, soliciting the appointment of Supervisor of Highways.

Which was read and laid on the table.

Mr. Copeland

Presented a petition from John Bosler, soliciting the appointment of Commissioner of Highways.

Which was read and laid upon the table.

The President

Laid before the Council a petition from Samuel W. Rush, soliciting the appointment of Register of the Watering Committees.

Which was read and laid upon the table.

The President

Presented one of like import from John H. Zeilin.
Which was read and laid upon the table.

The President

Presented a petition from Alexander Hughes, soliciting the appointment of public printer.
Which was read and laid upon the table.

The President

Presented a petition from Jesse Weiss, soliciting the appointment of Commissioner of Highways for the Twenty-first Ward.

Which was read and laid upon the table.

The President

Presented a petition of like import from John W. Middleton, of the Fourteenth Ward.

Which was read and laid upon the table.

The President

Also presented a communication from J. M. Mitchell, stating that he had made application to the Board of Port Wardens for permission to erect a pier on his property, corner of Wharf and Davis Streets, Southwark.

Which was read and laid upon the table for the present.

The President

Presented a petition from Messrs. Righter & Gibson, soliciting the public binding, and the furnishing a portion of the stationery.

Which was read and laid upon the table.

The President

Presented a communication from the Board of Trustees and the President and Members of the Board of Commissioners of West Philadelphia, recommending Geo. Rukan, Jr., for the situation of Superintendent and Register of the West Philadelphia Gas Works.

Which was read and laid upon the table.

The President

Presented a petition from Wm. F. Mercer, soliciting the appointment of Surveyor.

Which was read and laid upon the table.

The President

Also laid before the Council a preamble and resolution, in relation to a paid fire department, adopted at a meeting of the Board of Commissioners of the District of West Philadelphia, by them held June 29th, 1854; together with a report of the amount of monies in the hands of the Treasurer of the West Philadelphia Gas Works.

Which was read and laid upon the table.

Message from Select Council,

Informing Common Council that they had amended the Ordinance relating to the appointment of Standing Committees, and asked concurrence.

Mr. Smith

Moved that the Presidents of Select and Common Councils, be ex-officio members of the Committees on Girard Estate, Railroads, &c.

Which was withdrawn.

Mr. Smith

Moved to re-consider the Ordinance as passed this Council.

Which was agreed to.

Mr Smith

Moved that we concur in the amendment of Select Council, in the 3d section, in the fifteenth line, by striking out the words "Corporation of the Mayor, Aldermen, and Citizens," and insert the words, "Various Corporations comprising the City."

Common Council concurred,

And passed the ordinance the third time as amended.

Mr. Smith

Moved that the President appoint a Committee of three from each Chamber, to wait on the Mayor, and procure his signature immediately to the ordinance.

Which was agreed to.

The President

Appointed, on the part of Common Council, Messrs. Smith, Norton, and Abbey.

Select Council concurred, and

Appointed, on the part of their Council, Messrs. Cornman, Waterman, and Duffee.

Mr. Copeland

Presented a communication from citizens of the Ninth Ward, recommending Wm. G. Lybrand for the office of Supervisor of said Ward.

Which was laid on the table.

The President

Presented a communication from Jacob Waterman, jr., offering himself as a candidate for Commissioner of Highways.

Which was laid on the table.

Mr. Gratz

Presented a Report from the Committee of Councils of Twentieth Ward, in relation to the Thompson Street Culvert, (*Appendix, No. 23,*) with the following resolutions:

Resolved, That Ryan, Blackburn, and Davis, in resuming the work on the Thompson Street Culvert, have undertaken an unauthorized act, and in direct violation of the notices served on them, by the Solicitor, under the direction of the Councils; and our Solicitor is hereby requested to notify them that they will be held accountable for any and all damage the City has or may sustain by their unlawful proceeding on said culvert.

Also,

Resolved, That the Committee on Streets and High-

ways be, and are hereby, authorized and instructed to award the said Thompson Street Culvert to the lowest bidder, as per tabular statement hereunto annexed, agreeably to the plan and specification, terms and conditions, as set forth in the notices inviting proposals for the construction of said culvert, issued in March last, demanding thereupon satisfactory security for the faithful performance of the contract, in conformity with an ordinance now, or that may hereafter be, in force, applicable to the construction of culverts, and in default of such satisfactory security, to award it to the next lowest bidder upon the same terms and conditions, and so on, until the same is allotted. *Provided*, That no allotment be made, unless the obligation to complete the same be on or before the 1st of July, 1855.

Mr. Balch

Moved to lay the report on the table.

The President

Ruled the motion out of order.

On motion of Mr. Gratz,

That the resolutions be read a second time.

Mr. Stuart

Moved to refer to a special committee of thirteen.

Mr. O'Niell

Moved an amendment to the amendment, that the report be printed for the use of the members.

Mr. Balch

Moved to lay the report on the table for the present.

Messrs. Moran and Martien demanded the yeas and nays,

And were as follows:

YEAS.—Messrs. Address, Berry, Bishop, Balch, Copeland, Crispin, Dubree, Dougherty, Gray, Gay, Hubbard, Hasinger, Lloyd, Magarge, O'Neill, Painter, Randall, Roberts, Stuart, Scheetz—21.

NAYS.—Messrs. Abbey, Bunm, Binder, Butcher, Boswell, Cowell, Cresswell, Conrad, Dunk, Davenport, Dennis, Eastwick, Gibson, Giller, Grove, Griscom, Green, Gratz,

Graeff, Hacker, Hoppel, Hilles, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Preston, Rhoads, Shuster, Smith, Stallman, Verree, Wickersham, Wagner, Diehl, *President*.

Yeas, 21 ; nays, 37.

So the amendment of Mr. Balch was not agreed to.

Mr. Hoppel

Moved the privilege question, and offered the following amendment :

That the report be referred to the Committee of Councils from the Sixteenth, Seventeenth, Eighteenth, Nineteenth, and Twentieth Wards, in conjunction with the Solicitor.

Which was not agreed to.

Question being taken on the amendment of Mr. O'Neill.

Messrs. O'Neill and Moran, demanded the yeas and nays,

Which were as follows :

YEAS.—Messrs. Abbey, Address, Bishop, Balch, Copeland, Dubree, Dougherty, Eastwick, Gray, Griscom, Gay, Hubbard, Hassinger, Lloyd, Norton, O'Neill, Painter, Randall, Roberts, Scheetz, Stallman—21.

NAYS.—Messrs. Berry, Bumm, Binder, Butcher, Boswell, Cowell, Cresswell, Conrad, Crispin, Dunk, Davenport, Dennis, Gibson, Giller, Grove, Green, Gratz, Graeff, Hacker, Hoppel, Hilles, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Newell, Preston, Rhoads, Shuster, Smith, Verree, Wagner, Diehl, *President*—36.

Yeas, 21 ; nays, 36.

The original resolutions being read the second time,

They were agreed to.

Select Council concurred.

Mr. Randall,

From the Committee to procure suitable rooms, made report (*Appendix No. 24*) with the following resolutions :

Resolved, That the Receiver of Taxes be, and he is hereby, authorized to take possession of and occupy the lower front room of the County Court House, at the Southeast corner of Sixth and Chestnut Streets, for the purpose of the discharge of the duties of said office.

Resolved, That the City Controller be, and he is hereby, authorized and directed to rent the second story room of the Shakspeare Building, Northwest corner of Sixth and Chestnut Streets, at an annual rent not exceeding fifteen hundred dollars, said room to be the office of the City Controller.

Resolved, That the Receiver of Taxes and the Controller be, and they are hereby, authorized, under the supervision of the Committee on Rooms, &c., to have their respective rooms, named in the foregoing resolutions, fitted up in such a manner as to meet the requirements of the said offices.

First resolution being under consideration, and a division being called for, it was decided in the affirmative.

Second resolution being under consideration,

Mr. Stewart

Moved to amend, that if no other room can be procured without charge, that the Controller use the Commissioner's Hall, Southwark.

Mr. Smith

Moved to amend the amendment, that the room now occupied by the Select Council be for the use of the Controller.

Mr. Norton

Moved to amend the amendment, by substituting the room occupied by the County Board.

Which was not agreed to.

Question being taken on the amendment of Mr. Smith,
It was agreed to.

The resolution, as amended was read, and
Agreed to.

The third resolution was agreed to.

Select Council concurred.

Message from Select Council,

An Ordinance to provide for the temporary cleansing of the City, and to make an appropriation therefor.

The first section was read and agreed to.

The second section being under consideration,

Mr. O'Neill

Moved to strike out \$5000 and insert \$10,000.

Which was not agreed to.

The second section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for the third reading.

The bill, by special order, being read the third time, it was agreed to.

So Common Council concurred.

The Mayor's Clerk

Presented a communication from the Mayor.

MAYOR'S OFFICE,
Philadelphia, 3d July, 1854. }

To the President of Common Council.

SIR:—I have approved and signed the following Ordinances, viz:

“An Ordinance to make appropriations to pay the salaries of the Teachers and Housekeepers in the Public Schools, which will become due on the 1st day of July, 1854, and to pay the wages of the Police, Watchmen and Lamplighters, due at that time.

“An Ordinance providing for the appointment of the Standing Committees of Councils.”

R. T. CONRAD,
Mayor.

Mr. Abbey offered the following resolution:

Resolved, That the room now occupied by the Common Council be appropriated to the use of the Mayor.

Mr. Boswell

Moved to refer to the Committee on Rooms.

Which was not agreed to.

Mr. Moran

Moved to amend by striking out "Mayor" and inserting "Marshall."

Which was not agreed to.

So the resolution was twice read and agreed to.

Select Council concurred.

Mr. Hoppel offered the following resolution :

Resolved, That the use of the Hall in Seventeenth Ward be granted to the Mount Zion M. P. Church, free of charge, for Sabbath day and until otherwise ordered by Councils.

Which was twice read and agreed to.

Mr. O'Neill offered the following resolution :

Resolved, That the committee in the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards be directed to have the streets of said Wards cleaned and kept in proper order, and to have nuisances abated at once.

Mr. Norton

Moved to amend that the Superintendent of Highways be authorized to have the streets cleaned under the supervision of Councils from the 16th, 17th, 18th, 19th and 20th Wards.

Which was agreed to.

The resolution as amended, was twice read and agreed to.

The President

Informed Councils that he had appointed the Standing Committees, as follows:—

Finance—Messrs. Wickersham, *Chairman*, Smith, Giller, Hacker, Read and Gratz.

Water—Messrs. Binder, Abbey, Hassinger, Cowell, Pomeroy and Taylor.

Gas—Messrs. Dennis, *Chairman*, Rhodes, Grove, Gray, Lloyd and Powell.

Girard Estates—Stuart, Boswell, Randall, Smith, Berry and Hacker.

Highways, &c.—Messrs. Copeland, *Chairman*, Butcher, Houseman, Hubbard, Hilles and Hoffman.

City Property and Public Grounds—Messrs. Newell, Davenport, Bumm, Watt, Magarge and O'Neill.

Police—Messrs. Gratz, *Chairman*, Griscom, Wagner, Moran, Gillingham and Balch.

Trusts and Fire Department—Messrs. Martien, *Chairman*, Bumm, Hoffinan, Gay, Gibson and Andress.

Health—Messrs. Shuster, Preston, Corlies, Parham, Mercer and Sheetz.

Poor—Messrs. Magarge, *Chairman*, Green, Dunk, Eastwick, Roberts and Conrad.

Prison—Messrs. Harper, Graeff, Taylor, Dunk, Binder and Matthews.

Schools—Messrs. Painter, Andress, Boswell, Dennis, Boyle and Abbey.

Surveys and Regulations—Messrs. Eastwick, *Chairman*, Horn, Verree, Norton, Grove and Austin.

Railroads—Messrs. Randall, Moran, Hoppell, Conrad, Wagner and Cresswell.

Claims—Messrs. Norton, *Chairman*, Wickersham, Larzalere, Dubree, Painter and Pomeroy.

Comparing Bills—Messrs. Crispin, *Chairman*, Gray and Lloyd.

Port Wardens, Public Landings and Wharves—Messrs. Bishop, *Chairman*, Mercer, Harper, Gillingham, Hilles and Stallman.

Law—Messrs. Dougherty, Griscom, O'Neill, Stuart Balch and Green.

Market Houses—Messrs. Newell, *Chairman*, Giller, Manuel, Copeland, Parham and Laws.

Message from Select Council

Informing Common Council that they had concurred in the Resolution relating to Running of Locomotives on Prime Street, and appointed on the Committee Messrs. Selby, P. A. Keyser and Roberts.

Also,

That they had appointed the Standing Committees, as follows :

Committees of Select Council.

Finance—Messrs. W. S. Smith, A. S. Roberts, P. A. Keyser, W. B. R. Selby, O. P. Cornman and William O. Kline.

Water Works—Messrs. J. Bullock, *Chairman*, J. M. Thomas, M. Sandgram, D. B. Hinman, J. K. Knorr, M. D. and Andrew Hague.

Gas Works—Messrs. H. L. Smith, J. L. Hutchinson, P. A. Keyser, W. H. Stokes, J. Bullock and A. G. Waterman.

Girard Estate—Messrs. A. G. Waterman, *Chairman*, A. S. Roberts, O. P. Cornman, A. D. Caldwell, P. A. Keyser and William O. Kline.

Highways—Messrs. H. C. Pratt, A. S. Roberts, O. P. Cornman, B. R. Miller, P. A. Keyser and J. N. Marsellis, M. D.

City Property—Messrs. D. B. Hinman, *Chairman*, F. H. Duffee, C. T. Jones, N. S. Keyser, H. C. Pratt and J. N. Marsellis, M. D.

Police—Messrs. C. T. Jones, W. S. Smith, A. G. Waterman, H. C. Pratt and O. P. Cornman.

Trusts—Messrs. F. H. Duffee, D. B. Hinman, J. Bullock, W. H. Stokes, M. Sandgram and I. N. Marsellis, M. D.

Health—Messrs. J. K. Knorr, M.D., *Chairman*, J. M. Thomas, A. G. Waterman, O. P. Cornman, C. T. Jones and J. N. Marsellis, M.D.

Poor—Messrs. A. D. Caldwell, F. H. Duffee, W. H. Stokes, W. B. R. Selby, J. K. Knorr, M. D. and Andrew Hague.

Prisons—Messrs. W. B. R. Selby, *Chairman*, C. T. Jones, Wm. S. Smith, O. P. Cornman, J. K. Knorr, M. D. and B. R. Miller.

Schools—Messrs. B. R. Miller, *Chairman*, D. B. Hinman, A. G. Waterman, O. P. Cornman, J. N. Marsellis, M. D., and J. L. Hutchinson.

Surveys—Messrs. J. L. Hutchinson, W. H. Stokes, N. L. Keyser, J. M. Thomas, A. Hagner, A. S. Roberts.

Railroads—Messrs. P. A. Keyser, *Chairman*, J. M. Thomas, H. L. Smith, W. S. Smith, A. D. Caldwell, H. C. Pratt.

Claims—Messrs. M. Sandgram, W. B. R. Selby, W. H. Stokes, J. Bullock, A. S. Roberts, W. O. Kline.

Compare Bills—Messrs. D. B. Hinman, B. R. Miller, A. Hague.

Port Wardens—Messrs. D. B. Hinman, F. H. Duffee, P. A. Keyser, Wm. B. R. Selby, C. T. Jones, J. N. Marsellis.

Law—Messrs. J. L. Hutchinson, *Chairman*, B. R. Miller, F. H. Duffee, H. L. Smith, A. D. Caldwell, Wm. O. Kline.

Markets—Messrs. J. M. Thomas, W. S. Smith, J. K. Knorr, M. D., H. L. Smith, C. T. Jones, N. L. Keyser.

Select Council also informs this Council that they had concurred in the resolution to meet at Spring Garden Hall.

Also,

They have concurred in the resolution authorizing the committee of Thirteenth, Fourteenth and Fifteenth Wards to prepare the Hall for the accommodation of Councils.

Also,

They have passed the following in relation to selling the furniture in the Germantown Hall.

Also,

They have passed the following :

Resolved, That so much of the bill, reported by the

Committee on Organization, as refers to the City Treasurer, Salaries and General Provisions, be referred to the Committee on Finance.

So much as refers to the department of Law, and to Elections, and Appointments to Office, and to Clerks and Messengers of Councils, to the Committee on the department of Law.

So much as refers to the City Commissioners and City Property, to the Committee on department of City Property.

So much as refers to Highways, Bridges, Sewers and Cleansing the City, and so much as refers to Surveys and Regulations, to the Committees on these respective branches, to act jointly or separately..

So much as refers to the department of Police, to the Committee on Police.

So much as refers to the department for Supplying the City with Water, of Gas Works, of Health, of Poor, of Prisons and of Public Schools, to the respective committees of those departments.

So much as refers to the Girard Estates and Girard College, to the Committee on Girard Estates.

So much as refers to Contracts, to the Committee on Claims.

That the several committees be instructed to report as early as practicable, such ordinances for their respective departments as they may deem right and proper.

Which was twice read, when

Mr. Giller offered the following as a substitute.

Resolved, That all matters contained in the Ordinance reported by the Committee on Organization, be reported to the various Standing Committees in the following manner, namely:

That so much thereof as relates to financial matters be referred to the Committee on Finance.

That so much as relates to highways be referred to the Committee on Highways.

That so much as relates to city property be referred to the Committee on City Property.

That so much as relates to the department of water be referred to the Committee on Water Works.

That so much as relates to the department of Gas be referred to the Committee on Gas.

That so much as relates to the Police department be referred to the Committee on Police.

That so much as relates to the subject of the Girard Estate be referred to the Committee on Girard Estate.

That so much as relates to the department of Surveys be referred to the Committee on Surveys.

That so much as relates to the matter of Legacies and Trusts be referred to the Committee on Trusts and Fire Department.

That so much as relates to the department of Health be referred to the Committee on the Department of Health.

That so much as relates to the Poor be referred to the Committee on the Department of the Poor.

That so much as relates to the Prison be referred to the Committee on the Department of the Prison.

That so much as relates to Public Schools be referred to the Committee on the Department of Schools.

That so much as relates to the subject of Railroads be referred to the Committee on Railroads.

That so much as relates to Cleaning the public Streets be referred to the "Committee on Highways," &c.

That so much as relates to the subject of Claims be referred to the Committee on Claims.

That so much as relates to matters connected with Public Landings be referred to the Committee on Landings.

That so much as relates to the department of Law be referred to a Joint Special Committee of equal number with the permanent committees.

That so much as relates to Contracts be referred to the Committee on Highways.

Which was twice read and agreed to.

Mr. Wickersham offered the following resolution :

Resolved, That the Committee on Finance be, and are hereby, instructed to report to Councils such ordinances as they may deem necessary to carry out the provisions of the 38th section of the "further supplement to an Act entitled an Act to Incorporate the City of Philadelphia," passed January 31, 1854.

Which was not agreed to.

The President .

Presented a report from the District of West Philadelphia, (*Appendix No. 26*,) with the list of the outstanding orders due by said District.

Referred to Committee on Finance.

Mr. Norton

Moved that the communication from J. M. Mitchel be referred to the Committee on Public Landings, &c.

Mr. Mercer

Moved the consideration of the ordinance to prevent dogs from running at large.

Mr. Hacker

Moved that the reading of the Ordinance be dispensed with, and that it be referred to the Police Committee.

Messrs. Gibson and Mercer demanded the yeas and nays.

Which were as follows :

YEAS—Messrs. Abbey, Andress, Berry, Bishop, Binder, Butcher, Cresswell, Conrad, Dunk, Dennis, Eastwick, Griscom, Gay, Houseman, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Martien, Matthews, Magarge, Newell, O'Neill, Painter, Randall, Shuster, Verree, Wickersham and Wagner—Yeas 30.

NAYS—Messrs. Boswell, Davenport, Dubree, Dougherty, Gibson, Giller, Gratz, Lloyd, Mercer, Manuel, Norton, Rhoads, Roberts and Diehl, *President*—Nays 14.

Which was agreed to.

Select Council

Informs this Council that they had passed an Ordinance (*Appenix No. 27.*)

The first section being under consideration.

Mr. Norton

Moved to refer to the Finance Committee.

Messrs. Norton & Boswell demanded the yeas and nays

Which were as follows :

YEAS—Messrs. Boswell, Dougherty, Eastwick, Gibson, Giller, Houseman, Hassinger, Hilles, Lloyd, Mercer, Matthews, Norton, Newell, Rhoads, Roberts and Wagner—Yeas 16.

NAYS—Messrs. Abbey, Address, Berry, Bishop, Binder, Butcher, Cowell, Cresswell, Conrad, Dunk, Dave nport, Denis, Dubree, Griscom, Gay, Green, Gratz, Hacker, Hubbard, Hoppel, Moran, Martien, Manuel, Magarge, O'Neill, Pomeroy, Painter, Randall, Shuster, Verree and Diehl, *President*—Yeas 31.

Which was not agreed to,

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The fourth section being under consideration.

Mr. Hassinger

Moved to amend, in the third line after the word "receipts," "and all fees."

Which was agreed to.

The fourth section as amended was agreed to.

The fifth section was agreed to.

The sixth section being under consideration.

Mr. O'Neill

Offered the following amendment, after the 10th line, insert in Section 6,

Provided, That nothing herein shall be understood to

authorize the constable to take by virtue of his warrant any articles which are exempt from levy and sale by the Act of Assembly exempting certain articles from levy or sale on a landlords warrant.

When Messrs. O'Neill and Randall demanded the yeas and nays.

Which were as follows :

YEAS—Messrs. Dubree, Hassinger, O'Neill and Roberts
—Yeas 4.

NAYS—Abbey, Address, Berry, Bishop, Bumm, Binder, Boswell, Cowell, Cresswell, Conrad, Dunk, Davenport, Dennis, Dougherty, Eastwick, Gibson, Giller, Griscom, Gay, Green, Houseman, Hacker, Hubbard, Hoppel, Hilles, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Norton, Newell, Painter, Randall, Rhoads, Shuster, Verree, Wickersham Wagner and Diehl, *President*—Nays 41.

Which was not agreed to.

Question recurring on the section, it was agreed to.

Section 7 being under consideration

Mr. Norton

Moved to strike out "three" in the second line and insert "four."

Which was not agreed to.

Question recurring on the section,

It was agreed to.

Section 8 was agreed to.

Section 9 being under consideration,

Mr. Painter

Moved to amend by adding in second line, after the word "deputy," "who shall be principal clerk."

Which was agreed to.

Mr. Boswell

Moved the further consideration be postponed.

Which was not agreed to.

Mr. Verree

Moved to adjourn.

Which was not agreed to.

Question recurring on the 9th section,

It was agreed to as amended.

Section 10 being under consideration.

Mr. Newell

Moved to strike out in second line "twelve" and insert "six," when

Messrs. Boswell and Dennis demanded the yeas and nays,

Which were as follows:

YEAS.—Messrs. Abbey, Berry, Bishop, Boswell, Cowell, Cresswell, Conrad, Dunk, Davenport, Dennis, Dubree, Dougherty, Gibson, Grove, Griscom, Gay, Houseman, Hoppel, Hassinger, Mercer, Martien, Matthews, Manuel, Newell, O'Neill, Randall, Rhoads, Roberts, Wagner—29.

NAYS.—Messrs. Andress, Bumm, Binder, Giller, Green, Hacker, Moran, Norton, Painter, Verree, Diehl, *President*—11.

Yeas, 29; nays 11.

Which was agreed to.

Mr. Griscom

Moved the following amendment:

Add after the word "clerks," the words "and such additional number of temporary assistant clerks as shall be found necessary, and shall be approved by Councils."

Which was not agreed to.

The question recurring to the section as amended,

It was agreed to.

Section 11 being under consideration,

Mr. Hoppel

Moved to strike out in the third line "\$1000" and insert "\$500."

Which was not agreed to.

Mr. Norton

Moved to amend by striking out, in the first line, the words "have full power and authority."

Which was agreed to.

The 11th section as amended was agreed to.

Mr. Verree

Moved to re-consider the vote on the 5th section.

Which was agreed to,

And offered the following amendments: in the second line by striking out "in some central and suitable place in the Twenty-first, Twenty-second, Twenty-third, and Twenty-fourth Wards," and insert "Germantown, Frankford, Manayunk, Bustleton, Holmesburg, Somerton, Hestonville, Haddington, and Paschallville."

Which was agreed to.

The section was adopted as amended.

Mr. O'Neill

Moved that in the first section, third line, that \$40,000 be stricken out, and "\$100,000" inserted.

Which was not agreed to.

The title was agreed to.

And the bill ordered to be prepared for the third reading.

And by special order the bill was read the third time and passed.

Mr. Martien

Moved that the Committee on Conference, in relation to the Mayor's salary, make report.

Mr. Griscom offered the following resolution :

Resolved, That the Committee on the Law department be and are hereby instructed to prepare and report a set of Rules of Practice for the government of the proceedings of these Councils.

Mr. Norton

Moved that the further consideration be postponed.

Adjourned.

THURSDAY, July 6th, 1854.

Council met—Present

Messrs. Abbey,
 Andress,
 Austin,
 Berry,
 Bunn,
 Butcher,
 Boswell,
 Copeland,
 Cowell,
 Cresswell,
 Conrad,
 Corlies,
 Crispin,
 Dunk,
 Davenport,
 Dennis,
 Dubree,
 Dougherty,
 Eastwick,
 Gibson,
 Giller,
 Grove,
 Griscom,
 Gillingham,
 Gay,
 Green,
 Gratz,
 Graefi,
 Houseman,
 Hoffman,
 Horn,

Messrs. Hacker,
 Hubbard,
 Hoppel,
 Hilles,
 Hassinger,
 Laws,
 Lloyd,
 Larzalere,
 Moran,
 Martien,
 Matthews,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Pomeroy,
 Painter,
 Preston,
 Randall,
 Rhoad,
 Roberts,
 Stuart,
 Scheetz,
 Shuster,
 Smith,
 Stallman,
 Watt,
 Wickersham,
 Wagner,
 Diehl, *President.*

Mr. Martien

Presented a petition from John Penrose, Sr., soliciting the appointment of Superintendent of Logan Square.

Referred to Committee on City Property.

Mr. Giller

Presented a petition from the holders and occupiers of stalls in Washington Market, soliciting the re-appointment of John Gampher, as Clerk of the Market.

Referred to the Committee on Market Houses.

Mr. Laws

Presented a communication from citizens residing in the vicinity of Charlotte and George Streets, asking to have the pump in Charlotte Street repaired.

Referred to Committee on Water Works.

Mr. Newell

Presented a petition and communication from sundry citizens, recommending John Diehl as a suitable candidate for the office of Commissioner of City Property.

Referred to the Committee on City Property.

The President

Presented a communication from Robert H. Smith, City Clerk of the late City Corporation, submitting the quarterly report and expenditures of the City Commissioners; the receipts of the Commissioner of City Property for the quarter, and the receipts of the City Clerk for entries of all kinds of vehicles used for hire, and the payments to the City Treasurer for the same period. (*Appendix No. 28.*)

Referred to the Committee on Finance.

The President

Presented a communication from Amos A. Gregg, of Twenty-third Ward, offering himself as a candidate for Commissioner of Highways.

Which was laid on the table.

The President

Presented a communication from John M. Coleman, late County Treasurer, certifying that George Fithian, late Collector of South Mulberry Ward, had overpaid his duplicate to the amount of \$114.21.

Which was referred to the Committee on Finance.

The President

Presented two communications from sundry citizens, recommending the appointment of Spencer Bonsall as City Surveyor, and head of the Board.

Which was laid on the table.

The President

Presented a communication from George Sturges, offering himself as a candidate for Commissioner of Highways.

Which was laid on the table.

Also,

One of like import from Charles J. Davis.

Which was laid upon the table.

The President

Presented a communication from the President of the Girard Mutual Real Estate Association, requesting the use of the Southwark Hall for Monday evening the 10th instant.

Which was laid on the table.

Mr. Gratz

From the Committee on Police, submitted a Report on Ordinance. (*Appendix No. 29.*)

Which was read,

And being under consideration,

Mr. Abbey

Moved that the further consideration of the bill be postponed and printed for the use of the members.

Messrs. Smith and Gratz demanded the yeas and nays,

Which were as follows :

YEAS—Messrs. Abbey, Address, Austin, Berry, Bunm, Butcher, Boswell, Copeland, Cowell, Cresswell, Conrad, Corlies, Crispin, Dunk, Davenport, Dennis, Dubree, Dougherty, Eastwick, Giller, Grove, Griscom, Gay, Green, Houseman, Horn, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Laws, Lloyd, Larzalere, Martien, Matthews, Manuel, Magarge, Norton, Newell, Painter, Preston, Randall, Rhoads, Roberts, Stuart, Scheetz, Stallman, Watt, Wickersham and Diehl, *President*.

NAYS—Messrs. Gillingham, Gratz, Graeff, Moran, Smith and Wagner.

Yeas 50 ; nays 6.

So the bill was ordered to be printed.

Mr. Hacker

Moved that the Journal be corrected on page 84.

Mr. Hoppel

Moved that the Journal be corrected on page 90, by striking out " previous" and insert " privilege."

Mr. Wickersham

From the Committee on Finance, offered the following resolution:

Resolved, That the Board of Guardians of the Poor, the Board of Health, the Board of Controllers of the Public Schools and the Inspectors of the County Prison be requested to present to the Committee on Finance, an estimate of the amount required for the service of the City in the departments under their charge, to the first day of January next, in which they shall set out the different items for which such amount is required.

Which was twice read and agreed to.

Select Council concurred.

Mr. Martien

Presented a petition from sundry citizens, recommending Conrad Emory for the situation of Assistant Inspector of Gas Fittings.

Referred to the Gas Committee.

Mr. Pomeroy

Presented a communication from Robert Buckman, of Thirteenth Ward, soliciting the appointment of one of the Surveyors of the City.

Which was laid on the table.

Mr. Bumm

Presented a report from the District of Kensington, containing a list of the outstanding claims of said District.

Referred to Committee on Claims.

Mr. Boswell

Asked to be excused from serving on the Committee to draft an ordinance for the better protection of the lives of our fellow citizens.

Which was granted.

Mr. Wickersham

From the Finance Committee, submitted a Report accompanied with an Ordinance. (*Appendix No. 30.*)

Which was read,

And being under consideration,

Mr. Dennis

Moved that the further consideration be postponed and printed for the use of the members.

Which was agreed to.

Mr. Gratz

Presented a communication from C. H. Muirhead, and John Mulvaney, asking to have the water pipes laid and street paved on Jefferson St., between Eleventh and Broad.

Referred to Committee on Water.

Select Council

Informed Common Council that they had passed the following resolution, and asked concurrence:

Resolved, That the Committee from the Twenty-second

Ward be, and they are hereby, instructed to sell the furniture in the Hall lately used by the Council of the Borough of Germantown, and to pay the proceeds over to the City Treasurer.

Mr. Smith

Moved to amend that the furniture be presented to the Germantown Literary Institute.

Which amendment he withdrew.

Mr. Hacker

Moved to lay the resolution on the table.

Which was agreed to.

So Common Council non-concurred.

Mr. Horn

Presented a communication from citizens residing in the vicinity of Germantown Road and Oxford Street, requiring the protection of the Police.

Referred to the Police Committee.

Mr. Moran

Presented a petition from sundry citizens, recommending Anthony M. Magge, Jr., for the appointment of Assistant Inspector of Gas.

Referred to the Gas Committee.

Mr. Wickersham

Presented an ordinance to provide for the issue of certificates of debt of the City of Philadelphia. (*Appendix No. 31.*)

Which was read,

And being under consideration,

Mr. Gillingham

Moved that the further consideration of the bill be postponed and printed for the use of the members.

Which was agreed to.

Mr. Hoppel

Offered the following resolution:

Resolved, That the President's Chair, late in the use of the District of Kensington be, and the same is hereby, appropriated to the use of the Kensington Literary Institute; Provided, that when said Institution shall cease to exist the aforesaid chair shall revert to the City of Philadelphia.

Which was twice read, and

On motion of Mr. Stuart,

The resolution was laid on the table.

Mr. Wagner

Offered the following resolution:

Resolved, That the Committee on City Property be authorized and directed to have all the real estate vested in the City of Philadelphia by the Consolidation Act, (and not already covered by insurance,) perpetually insured in the name of "the City of Philadelphia," and report to Councils at a subsequent meeting their action in the matter.

Mr. Martien

Moved to amend by inserting "personal property."

Messrs. Martien and Andress demanded the yeas and nays,

Which were as follows:

YEAS.—Messrs. Abbey, Andress, Austin, Berry, Bumm, Cresswell, Davenport, Eastwick, Gibson, Grove, Hoppel, Martien, Newell, O'Neill, Rhoads, Roberts, Smith, Wagner, —18.

NAYS.—Messrs. Butcher, Boswell, Copeland, Conrad, Corlies, Crispin, Dunk, Dennis, Dubree, Dougherty, Giller, Griseom, Gay, Green, Gratz, Houseman, Hoffman, Horn, Haeker, Hubbard, Hilles, Hassinger, Laws, Lloyd, Larzallere, Matthews, Manuel, Magarge, Norton, Painter, Preston, Randall, Stuart, Stallman, Wickersham, Diehl, *President* —36.

Yeas, 18; nays, 36.

So the amendment was not agreed to.

Mr. Haeker

Moved to lay the resolution on the table

Which was agreed to.

Select Council

Informs Common Council that they have concurred to the amendments referring the Ordinance reported by the Committee on Organization to the various standing Committees, with the following amendments:

That so much as relates to the department of Law, be referred to the Committee on Law.

And,

That so much as relates to the Clerks and Messengers of Select and Common Councils, be referred to the Committee on Law.

Which was twice read and agreed to.

So Common Council concurred.

Mr. Painter

Offered the following resolution:

Resolved, That the Committee on Finance be instructed to report an ordinance to provide for the payment of the orders issued by the late Municipal Corporations now embraced by the City of Philadelphia.

Which was twice read and agreed to.

Message from Select Council,

Informing this Council that they had passed the following preamble and resolution, and asked concurrence:

Whereas, The recent serious conflagration in Chestnut Street, calls for the prompt and most efficient means that can be adopted for the protection of life and property throughout the City, in case of fire; and while we can proudly boast of the most active Fire Department in the country, composed of men who toil with energy that has not only won for them the admiration of the world, but has entitled them to the warmest expressions of thanks from their fellow-citizens, yet, if there are improvements invented that will lessen the labor and arduous task of our firemen, and be more effectual in suppressing conflagrations, it is our duty at once to inquire into the propriety of bringing into use such inventions.

Therefore,

Resolved, That a Joint Select Committee of three from each Council be appointed, with power to make all necessary inquiry and investigation of the subject, and report to Councils, as early as such investigation can be thoroughly made.

Mr. Smith

Moved to refer to the Committee on Trusts and Fire Department.

Which he withdrew.

Mr. Martien

Moved to refer to the Joint Special Committee on Fire Department.

Which was not agreed to.

The resolution was agreed to.

The preamble was agreed to.

So Common Council concurred.

The President

Appointed, on behalf of Common Council, the following Committee :

Messrs. Eastwick, Moran, and Cresswell.

Select Council appointed the following Committee :

Messrs. P. A. Keyser, Miller, and Waterman.

Also, that they had passed the following resolution :

Resolved, That it be recommended to the members of each Ward to divide their respective Wards into Districts, one of which to be under the supervision of a member to whom the same may be assigned, for the purpose of attending to the cleansing and sanitary condition of the Ward ; Also, That they have received the report of the Committee of Conference in relation to the Mayor's salary, and that said Committee have been discharged from the further consideration of the subject.

So Common Council concurred.

Mr. O'Neill

Offered the following resolution:

Resolved, That there shall be a committee of three from each Council, to be styled the Committee on Printing.

It shall be the duty of the Committee to advertise for ten days in the Pennsylvania Inquirer, Evening Bulletin, the Daily Sun and Ledger, for proposals to do all the City Printing for one year, which proposal shall be opened by the said Committee, in the presence of the Speakers of the Select and Common Councils, and the printing shall be awarded to the lowest bidder, and the Committee may, if they think proper, require security for the faithful performance of the contract.

Which was read and laid on the table.

Mr. Smith

Offered the following resolution:

Resolved, That, until further order, the Journal of Common Council, together with such other printing as they may require, shall be printed at the same place as the former Journal of Common Council of the City of Philadelphia was printed.

Which was read and withdrawn.

Mr. Smith

Moved that we now proceed to an election of printer.

Which was not agreed to.

Mr. Houseman offered the following resolution :

Resolved, That the Committee on Gas be instructed to inquire and to report to Council, as early as possible, what negotiations, if any, can be brought about for the purchase of the works of the Southwark and Moyamensing Gas Company.

Mr. Painter

Moved to insert Northern Liberties and Kensington.

Mr. Preston

Moved to insert Manayunk.

Mr. Smith

Moved to insert Germantown.

Mr. Dennis

Moved to amend, "And all other works belonging to private companies in the city."

Mr. Boswell

Moved to postpone the further consideration, and refer the resolution as amended to the Gas Committee.

Which was agreed to.

Mr. Davenport offered the following resolution :

Resolved, That the Committee on Highways be instructed to have Prime Street from Passyunk Road to Ninth Street paved as soon as convenient.

Referred to Committee on Highways.

Mr. Manuel offered the following resolution :

Resolved, That the Committee on Gas be instructed to inquire into the propriety of extending the gas mains into the former districts of Southwark, Kensington, Northern Liberties and Penn.

Referred to Committee on Gas.

Mr. Martien

Moved that the petition of citizens residing in the vicinity of Race and Eighth Street relating to culvert be referred to Committee on Highways.

Mr. Griscom offered the following resolution :

Resolved, That the Committee on City Property be and they are hereby instructed to transfer the chair heretofore used as the chair of the President of the Board of Commissioners of the District of Kensington (which chair is composed in part of interesting and valuable relics of the time of William Penn), to the Hall of the Common Council of the City of Philadelphia, to be hereafter appropriated as the chair of the President of this Council.

Mr. Painter

Moved to amend, "To have the chair placed in Independence Hall."

Which was agreed to.

The resolution as amended was agreed to.

Message from the Select Council, informing this Council that they had passed the following resolution, and asked concurrence.

Resolved, That the Stated Meetings of Councils hereafter be on Thursday, at three o'clock P.M.

Which being under consideration, the yeas and nays were demanded by Messrs. Randall and Painter, which were as follows :

YEAS—Messrs. Abbey, Berry, Bumm, Butcher, Boswell, Copeland, Cowell, Cresswell, Dennis, Dubree, Eastwick, Giller, Grove, Griscom, Green, Houseman, Hoffman, Horn, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzallere, Norton, Preston, Randall, Rhoads, Roberts, Stuart, Shuster, Watt, Wickersham.

NAYS—Messrs. Address, Austin, Conrad, Corlies, Dunk, Davenport, Dougherty, Gibson, Gillingham, Gay, Gratz, Graeff, Hacker, Laws, Moran, Martien, Matthews, Manuel, Magarge, Newell, O'Neill, Painter, Smith, Wagner, Diehl, *President*.

Yeas 33 ; nays 25.

So Common Council concurred.

Also, that they had passed the following resolution :

Resolved, That the Local Committee of 24th Ward be, and they are hereby authorized to make the necessary arrangement for renting the store or stores in the Hall of the former district of West Philadelphia.

Mr. Eastwick

Moved to refer to Committee on City Property.

Which was agreed to.

Common Council non-concurred.

Mr. Randall

Presented a bill from the Washington Brass Band, for services rendered on July 4th.

Referred to Committee on Finance.

Mr. Moran

From Committee on Conference, in reference to the salary of the Mayor, submitted report (*Appendix No. 31*), with the following resolution :

Resolved, That the committee be discharged from the further consideration of the subject.

Which was twice read and agreed to.

Mr. Newell

Moved that the President appoint another committee of conference.

Which was not agreed to.

Mr. Abbey offered the following resolution :

Resolved, That the Clerk have the various bills to be printed for the use of members distributed to the several members before their next meeting.

Which was twice read and agreed to.

The President

Presented a petition from sundry citizens, recommending the appointment of James Vineyard as one of the Commissioners of Highways.

Laid on the table.

On motion,

Adjourned.

THURSDAY, July 13, 1854.

Council met—Present

Messrs. Abbey,
Andress,
Austin,
Berry,
Bumm,
Boyle,
Binder,
Butcher,
Boswell,
Copeland,
Cresswell,
Conrad,
Corlies,
Crispin,
Dunk,
Davenport,
Dennis,
Dubree,
Eastwick,
Gibson,
Giller,
Grove,
Griscom,
Gillingham,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Hoffinan,
Harper,
Horn,
Hacker,
Hubbard,

Messrs. Hoppel,
Hilles,
Hassinger,
Laws,
Lloyd,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Ncill,
Pomeroy,
Parham,
Painter,
Preston,
Read,
Randall,
Roberts,
Stuart,
Scheetz,
Shuster,
Smith,
Stallman,
Taylor,
Verree,
Wickersham,
Wagner,
Diehl, *President.*

Mr. Hoppel

Presented a communication from citizens and residents on Union Street between Franklin Avenue and West Streets, asking to have the same opened to public use.

Which was read and referred to the Committee on Highways.

Mr. Hacker

Presented a communication from citizens of the Twelfth Ward, calling their attention to the inlet of the public sewer, northwest corner of Fourth and Noble Streets.

Which was read and referred to the Committee on Highways.

Mr. Gibson

Presented a petition from citizens of Fourth Ward, recommending Evan Dalrymple as a competent person for clerk of one of the Markets.

Which was read and laid on the table.

Mr. Moran

Presented a petition from citizens of Fifth Ward, recommending J. C. Abel for clerk of South Second Street Market.

Which was read and laid on the table.

Mr. Mercer

Presented a petition from Richard Van Arsdalen, soliciting the office of Supervisor of Streets.

Which was read and laid on the table.

Mr. Gillingham

Presented a petition from citizens of Sixteenth Ward, relating to culverting Cohocksink Creek.

Which was read.

Mr. Gillingham

Moved to refer the petition to a Joint Special Committee of Five.

Mr. Hoppell

Moved to amend, to refer the same to the Committee on Highways.

So the amendment was not agreed to.

The question recurring on the original motion,

It was agreed to.

And the President appointed Messrs. Gillingham, Copeland, Stuart, Butcher and Mercer said Committee.

Mr. Stallman

Presented a petition from citizens of the Twenty-second Ward, soliciting the appointment of Alpheus Channon to the office of Commissioner of Highways.

Which was read and laid on the table.

Mr. Newell

Presented sundry communications from citizens in favor of, and a petition from Charles S. Ulrick, soliciting the appointment of Superintendent of Public Squares.

Which was read and laid on the table.

Mr. Hoffinan

Presented a petition from sundry citizens, asking that Delaware Avenue, between Arch and Market Streets, may be paved with cubical blocks.

Which was read and referred to the Committee on Highways.

Mr. Martien

Presented a petition from D. S. Horner, together with a recommendation from citizens, soliciting the office of Supervisor.

Which was read and laid on the table.

Mr. Randall

Presented one of like import from Lane Schofield, asking the appointment of Commissioner of Highways.

Which was read and laid on the table.

Mr. Matthews

Presented a communication from sundry citizens, and a petition from Daniel B. Smith, asking the appointment of Commissioner of Highways

Which was read and laid on the table.

The same gentleman

Presented a petition from F. Erdman, asking the appointment of principal Engineer of Water Works.

Which was read and laid on the table.

Mr. Gay

Presented a communication from George R. Kressler, asking that the water pipes may be laid in Jefferson Street from Eleventh to Twelfth.

Which was read and referred to the Committee on Water Works.

Mr. Binder

Presented a communication from Joseph Wood, Clerk of the late District of Penn, accompanied with sundry bills.

Which was read and referred to the Committee on Claims.

Mr. Houseman

Presented a petition from John Black, requesting the Superintendence of Public Clocks, for the First, Second, Third and Fourth Wards.

Which was read and laid on the table.

Also,

A communication from William Q. Baxter, asking permission to introduce a pipe into the culvert at Frankford Road and Allen Streets.

Which was read and referred to the Committee on Highways.

Mr. Magarge

Presented a petition from John Dyer, of the Twenty-first Ward, soliciting the appointment of Commissioner of Highways.

Which was read and laid on the table.

The President

Laid before Council, a communication from Wm. D. Baker, recommending Jesse Weiss, of Twenty-first Ward, for the office of Street Commissioner.

Which was read and laid on the table.

Also,

A petition and recommendation of sundry citizens in favor of Wm. Letford for the appointment of Clerk of High Street Market.

Which was read and laid on the table.

Also,

One from Jesper Harding soliciting a share of the printing and advertising.

Which was read and laid on the table.

Also,

One from Strickland Kneass, soliciting the position of City Surveyor.

Which was read and laid on the table.

Also,

One from Edward S. Fitch, soliciting the appointment of Commissioner of Highways.

Which was read and laid on the table.

Also,

A communication from John A. Brown, asking that water-pipes may be laid in Jefferson between Eleventh and Lewis Streets in the Twentieth Ward.

Which was referred to the Committee on Water Works.

Also,

A communication from Joseph J. Matthias and Lewis Shinnick, Guardians of the Poor, in relation to an office for the Visitor of the Poor of the Eleventh and Twelfth Wards, with accompanying resolution.

Which was read and referred to the Committee on Poor.

Also,

A communication from R. & M. Thompson, asking to have Prime Street graded, and the curb-stone set, and the footways filled up on Gray's Ferry Road.

Which was read and referred to the Committee on Highways.

Also,

A petition from owners of property on Twelfth Street, between Oxford Street and Columbia Avenue, asking that the water pipes may be laid therein as soon as practicable.

Which was referred to the Committee on Water Works.

Mr. Wickersham,

Chairman of the Committee on Finance, made report, (*Appendix No. 33*), with an ordinance to levy and fix the rate of taxes for the year eighteen hundred and fifty-four.

The bill being under consideration,

Mr. Verree

Moved to strike out in section 1st, eighth line, "one hundred and thirty-five cents" and insert "eighty-five cents."

Mr. Randall

Moved that the further consideration of the bill be postponed.

On this question the yeas and nays were demanded by Messrs. Smith and Giller.

Which were as follows:

YEAS.—Messrs. Abbey, Address, Austin, Berry, Boyle, Cresswell, Conrad, Corlies, Crispin, Dunk, Eastwick, Griscom, Green, Houseman, Hoffman, Harper, Horn, Hassinger, Laws, Lloyd, Larzalere, Painter, Randall, Roberts, Stuart, Scheetz, Shuster, Stallman, Taylor, Verree—30.

NAYS.—Messrs. Bumm, Binder, Butcher, Boswell, Copeland, Davenport, Dennis, Dubree, Gibson, Giller, Grove, Gillingham, Gay, Gratz, Graeff, Hacker, Hubbard, Hoppel, Hilles, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Preston, Read, Smith, Wickersham, Wagner, Diehl, *President*—35.

Yeas 30; nays 35.

Which was not agreed to.

The question recurring on the amendment of Mr. Verree,

Mr. Smith

Moved to strike out \$1.35 and insert \$1.25.

Which was withdrawn.

Mr. Graeff

Moved to amend by inserting \$1.25 instead of \$1.35.

Which was not agreed to.

Question on the amendment of Mr. Verree.

The yeas and nays were demanded by Messrs. Verree, and Roberts.

Which were as follows:

AYES.—Messrs. Boyle, Conrad, Corlies, Crispin, Dunk, Hassinger, Roberts, Scheetz, Verree—9.

NAYS.—Messrs. Abbey, Austin, Berry, Bumm, Binder-Butcher, Boswell, Copeland, Cresswell, Davenport, Dennis, Dubree, Eastwick, Gibson, Giller, Grove, Griscom, Gillingham, Gay, Green, Gratz, Houseman, Hoffman, Harper, Horn, Hacker, Hubbard, Hoppel, Hilles, Laws, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Nor-

ton, Newell, O'Neill, Pomeroy, Parham, Painter, Preston, Read, Randall, Shuster, Smith, Stallman, Taylor, Wickersham, Wagner, Diehl, *President*—54.

Ayes 9; nays 54.

So the amendment was not agreed to.

Mr. Crispin

Moved to amend by striking out \$1.35 and inserting \$1.

Mr. Gillingham

Moved to lay the amendment on the table.

Which was withdrawn.

The yeas and nays were demanded on the amendment of Mr. Crispin by Messrs. Crispin and Giller.

Which were as follows:

YEAS.—Messrs. Austin, Berry, Boyle, Conrad, Corlies, Crispin, Dunk, Eastwick, Graeff, Houseman, Hoffman, Hoppel, Hilles, Hassinger, Matthews, O'Neill, Roberts, Scheetz, Stallman, Taylor—20.

NAYS.—Messrs. Abbey, Bumm, Binder, Butcher, Boswell, Copeland, Cresswell, Davenport, Dennis, Dubree, Gibson, Giller, Grove, Griscom, Gillingham, Gay, Green, Gratz, Harper, Horn, Hacker, Hubbard, Laws, Lloyd, Larzalere, Mercer, Moran, Martien, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Painter, Preston, Read, Randall, Shuster, Smith, Verree, Wickersham, Wagner and Diehl, *President*—44.

Yeas 20; nays 44.

So the amendment was not agreed to.

Question recurring on the first section as read,

The yeas and nays were demanded by Messrs. Randall and Eastwick.

Which were as follows:

YEAS.—Messrs. Abbey, Binder, Butcher, Boswell, Copeland, Davenport, Dennis, Dubree, Gibson, Giller, Gillingham, Gay, Gratz, Hacker, Hubbard, Hoppel, Hilles,

Laws, Lloyd, Mercer, Moran, Martien, Manuel, Magarge, Norton, Newell, Pomeroy, Read, Stuart, Smith, Wickersham, Wagner and Diehl, *President*—33.

NAYS.—Messrs. Austin, Berry, Bumm, Boyle, Cresswell, Conrad, Corlies, Crispin, Dunk, Eastwick, Grove, Griscom, Green, Graeff, Houseman, Hoffinan, Harper, Horn, Hassinger, Larzalere, Matthews, O'Neill, Parham, Painter, Preston, Randall, Roberts, Scheetz, Shuster, Stallman, Taylor, and Verree—32.

Yeas 33 ; nays 32.

The second section being under consideration,

The yeas and nays were demanded on the adoption of the section by Messrs. Verree and Gibson.

Which were as follows :

YEAS.—Messrs. Abbey, Binder, Butcher, Boswell, Copeland, Davenport, Dennis, Dubree, Eastwick, Gibson, Giller, Grove, Griscom, Gillingham, Gratz, Graeff, Houseman, Hoffinan, Horn, Hacker, Hubbard, Hilles, Laws, Lloyd, Mercer, Moran, Martien, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Preston, Read, Stuart, Smith, Wickersham, Wagner, Diehl, *President*—40.

NAYS.—Messrs. Austin, Berry, Bumm, Boyle, Cresswell, Conrad, Corlies, Crispin, Dunk, Gay, Green, Harper, Hassinger, Larzalere, Matthews, Painter, Randall, Roberts, Scheetz, Shuster, Stallman, Taylor, Verree—22.

Yeas 40 ; nays 22.

So the second section was agreed to.

The third section was read and agreed to.

The title was read and agreed to.

The bill was prepared for a third reading.

The bill, by special order, being read the third time,

The yeas and nays were demanded by Messrs. Randall and Moran.

Which were as follows :

YEAS.—Messrs. Abbey, Andress, Binder, Butcher, Boswell, Copeland, Dunk, Davenport, Dennis, Dubree,

Gibson, Giller, Grove, Gillingham, Gay, Gratz, Hoffman, Horn, Hacker, Hubbard, Hoppel, Hilles, Laws, Lloyd, Mercer, Moran, Martien, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Read, Stuart, Shuster, Smith, Wickersham, Wagner, and Diehl, *President*—40.

NAYS.—Messrs. Austin, Berry, Bumm, Boyle, Cresswell, Conrad, Corlies, Crispin, Eastwick, Griscom, Green, Graeff, Houseman, Hassinger, Larzalere, Matthews, O'Neill, Painter, Preston, Randall, Roberts, Scheetz, Stallman, Taylor, Verree—25.

Yeas 40 ; nays 25.

So the final passage of the bill was not agreed to.

Mr. Wickersham,

Chairman of Finance Committee, made report, (*Appendix No. 34,*) accompanied with an Ordinance presenting the powers and duties of the Receiver of Taxes.

Which was read.

The bill being under consideration,

The first section was read and agreed to.

The second section was read and agreed to.

The third section was read and agreed to.

The fourth section was read and agreed to.

The fifth section was read and agreed to.

The sixth section was read and agreed to.

The seventh section was read and agreed to.

The eighth section being under consideration,

Mr. Norton

Moved to amend in the 3d line—to strike out all after the word “as,” and insert, “provided and required by the 13th section of the Act of Assembly approved the 2d day February, 1854, entitled ‘A further supplement to an Act entitled an Act to Incorporate the City of Philadelphia,’ and as may hereafter be provided by any other Act of Assembly, or by any Ordinance of these Councils.”

Which was agreed to.

The eighth section as amended was agreed to.

The ninth section being under consideration,

Mr. Hoppel

Moved to amend by striking out, in the 2d line, "one principal of the receiving department."

Which was agreed to.

The ninth section was agreed to as amended.

The tenth section being under consideration,

Mr. Hoppel

Moved to strike out in the third line, "to give bonds, &c."

Which was withdrawn.

The tenth section was not agreed to.

The eleventh section (now the tenth,) was agreed to.

The twelfth section (now the eleventh,) being under consideration,

Mr. Randall

Moved to strike out fifth line, "The principal clerk of the Receiving Department."

Which was agreed to.

Mr. Moran

Moved the further consideration of the bill be postponed.

Which was not agreed to.

Mr. Gibson

Moved to strike out third line, "\$3,500," and insert "\$2,500."

Mr. Dennis

Moved to amend by inserting "\$2,000."

Which amendment was accepted.

The question recurring on the amendment,

The yeas and nays were demanded by Messrs. Dennis and Hacker,

Which were as follows:

YEAS—Messrs. Berry, Boyle, Binder, Butcher, Boswell, Cresswell, Conrad, Corlies, Davenport, Dennis, Dubree, Eastwick, Gibson, Griscom, Gay, Green, Houseman, Harper, Hubbard, Hilles, Hassinger, Laws, Larzalere, Mercer, Matthews, Manuel, Newell, Preston, Roberts, Scheetz, Stallman and Taylor.

NAYS—Messrs. Abbey, Address, Bumm, Copeland, Dunk, Giller, Grove, Gillingham, Gratz, Graeff, Hoffman, Hacker, Hoppel, Lloyd, Moran, Martien, Magarge, Norton, O'Neill, Pomeroy, Parham, Painter, Read, Randall, Stuart, Shuster, Smith, Verree, Wagner and Diehl, *President*.

Yeas 33; nays 30.

So the amendment was agreed to.

So the eleventh section as amended was agreed to.

Message from Select Council

Informing this Council that they had received a report from the Committee on Girard Estates, and passed the following ordinances, and ask concurrence.

An Ordinance relating to the Supervision of the Girard Estates, and the Girard College for Orphans.

Also,

An Ordinance to make appropriations from the income of the Girard Estates, for the payment of State taxes and certain Annuities.

The Mayor's Clerk was announced with a message from the Mayor, in writing.

Mr. Norton

Moved a re-consideration of the third section.

Which was agreed to.

Mr. Norton

Moved the following amendment to the third section:

To add after the word "June," in third line, "And the

said Alderman shall respectively pay over to the Receiver of Taxes, at least once in each month, all taxes received by them."

Which was agreed to.

So the third section was agreed to, as amended.

The title of the bill was agreed to.

The bill was prepared for a third reading.

Mr. Pomeroy

Moved the further consideration of the bill be postponed.

The yeas and nays were demanded by Messrs. Pomeroy and Moran.

Which were as follows :

YEAS—Messrs. Austin, Bumm, Dunk, Giller, Grove, Gillingham, Gratz, Houseman, Hacker, Hoppel, Lloyd, Moran, Martien, Magarge, Pomeroy, Parham, Stuart, Shuster, Smith, Stallman, Verree, Wagner and Diehl, *President*.

NAYS—Messrs. Abbey, Address, Berry, Boyle, Binder, Butcher, Boswell, Copeland, Cresswell, Conrad, Corlies, Davenport, Dennis, Dubree, Eastwick, Gibson, Griscom, Gay, Green, Houseman, Horn, Hubbard, Hilles, Hassinger, Laws, Larzalere, Mercer, Matthews, Manuel, Norton, Newell, O'Neill, Preston, Read, Roberts, Scheetz, Taylor and Wickersham.

Yeas 23 ; nays 38.

So the postponement was not agreed to.

Mr. Wickersham

Moved that the eleventh section be re-considered,

The yeas and nays were demanded by Messrs. Eastwick and Martien,

Which were as follows :

YEAS—Messrs. Binder, Butcher, Cresswell, Dubree, Eastwick, Gillingham, Green, Gratz, Hubbard, Hassinger, Laws, Lloyd, Martien, Matthews, Manuel, Newell, Pomeroy, Parham, Roberts, Shuster, Stallman, Taylor, Verree, Wagner and Diehl, *President*.

NAYS—Messrs .Abbey, Andress, Austin, Berry, Bumm, Boyle, Bosswell, Copeland, Conrad, Corlies, Dunk, Davenport, Dennis, Gibson, Giller, Grove, Griscom, Gay, Houseman, Hoffman, Horn, Hacker, Hoppel, Hilles, Larzalere, Mercer, Moran, Magarge, Norton, Painter, Preston, Read, Randall, Stuart, Scheetz, Smith and Wickersham.

Yeas 25; nays 37.

So the re-consideration was not agreed to.

Mr. Dennis

Moved to re-consider the third section.

Which was not agreed to.

The bill was prepared for a third reading.

The bill by special order, being read the third time,

It was agreed to.

Mr. Wickersham

Moved to suspend the order of business, to take up the ordinance prescribing the duties of the City Treasurer.

Mr. Hoppel

Moved to amend by substituting the Police Bill.

Which was not agreed to.

Question recurring on Mr. Wickersham's motion,

It was agreed to.

Mr. Wickersham

Moved that Councils now proceed to the consideration of the ordinance, prescribing the powers and duties of the City Treasurer. (*Appendix No. 35.*)

Section first being under consideration,

Mr. Norton

Moved to amend by striking all out after the fifth line to the end of the section.

The yeas and nays were demanded by Messrs. Has-singer and Norton,

Which resulted as follows :

YEAS—Messrs. Abbey, Berry, Butcher, Copeland, Cresswell, Dunk, Davenport, Dennis, Dubree, Gibson, Giller, Gratz, Houseman, Hoffman, Harper, Hacker, Hassinger, Lloyd, Larzalere, Mercer, Norton, Newell, O'Neill, Randall, Stuart, Shuster, Smith, Stallman, Wickersham, Wagner and Diehl, *President*.

NAYS—Messrs. Binder, Boswell, Conrad, Eastwick, Grove, Griscom, Gay, Graeff, Hubbard, Hilles, Laws, Martien, Matthews, Manuel, Magarge, Parham, Preston, Read, Roberts and Verree.

Yeas 31 ; nays 20.

The section was agreed to as amended.

The second section was agreed to.

The third section was agreed to.

The fourth section was agreed to.

The fifth section was agreed to.

The sixth section was agreed to.

The seventh section was agreed to.

The eighth section being under consideration,

Mr. Norton

Moved to amend to the end of the third line, by striking out "hereafter provided and required by the 13th section of the Act of Assembly, approved the 2d day of February, 1854, a further supplement to an Act entitled 'An Act to Incorporate the City of Philadelphia,' and as may hereafter be provided by any other Act of Assembly, or by any ordinances of these Councils."

Which amendment was agreed to.

The eighth section as amended was agreed to.

Mr. Norton

Moved that the consideration of the ninth section be postponed for the present.

Which was not agreed to.

Mr. Norton

Moved the following to be the ninth section :

“ He shall, in addition to his other duties, receive all the Water Rents and all the Gas Rents payable to the City, and shall weekly furnish to the Register of Water Rents, and to the Register of Gas Works respectively, a list of the tenants who have paid the amounts charged to them for the use of Water and Gas respectively.”

Which was agreed to.

Section ninth (now tenth,) was agreed to.

Section tenth (now eleventh,) being under consideration,

Mr. Norton

Moved to strike out in the first line “ four” and insert “ six,” and in the second line, after the word “ clerk,” insert “ clerk of Water Rents, clerk of Gas rents.”

Which was agreed to.

The eleventh section as amended was agreed to.

Section eleventh (now twelfth,) was not agreed to.

Section twelfth (now thirteenth,) was not agreed to.

Section thirteenth (now fourteenth,) was not agreed to.

Section eleventh (now twelfth,) was agreed to.

The title was agreed to.

The bill was prepared for a third reading.

The bill by special order being read the third time,

It was agreed to.

Mr. Painter

Moved that when this Council adjourn, they adjourn to meet to-morrow afternoon at 3 o'clock.

Mr. Hacker

Moved to amend “ 6 o'clock.”

Which amendment was not agreed to.

The question recurring on the motion,
The yeas and nays were demanded by Messrs. Moran
and Wickersham,

Which were as follows :

YEAS.—Messrs. Abbey, Berry, Bumm, Butcher, Boswell, Copeland, Cresswell, Conrad, Dunk, Davenport, Dennis, Dubree, Eastwick, Gibson, Giller, Grove, Griscom, Gay, Graeff, Houseman, Hoffinan, Horn, Hacker, Hubbard, Hilles, Hassinger, Laws, Mercer, Moran, Martien, Matthews, Norton, Newell, O'Neill, Parham, Painter, Read, Roberts, Smith, Stallman, Wickersham and Wagner.

NAYS.—Messrs. Andress, Binder, Green, Hoppel, Lloyd, Manuel, Magarge, Preston, Stuart, Shuster, Verree and Diehl, *President*.

Yeas 42 ; nays 12.

So the resolution was agreed to.

Mr. Verree

Moved that this Council inform Select Council that they would adjourn in fifteen minutes unless prevented by business.

Which was agreed to.

Mr. Copeland,

Chairman of Committee on Highways, &c., made report (*Appendix No. 36,*) accompanied with an Ordinance establishing the Department of Highways, Bridges, Sewers, and Cleansing of the City.

Mr. Smith

Moved that the further consideration of the Ordinance be postponed until next Thursday.

Mr. Griscom

Moved to amend by postponing for the present.

Which amendment was agreed to.

Mr. Boswell

Moved to suspend order of business.

Which was agreed to.

Mr. Boswell

Moved to take up the Report and Ordinance from the Select Council, (*Appendix No. 37,*) relating to the appropriation of the Girard estates.

Which was agreed to.

The bill having been read, and being under consideration,

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The title was agreed to.

The bill was prepared for the third reading.

The bill, by special order, being read the third time,

It was agreed to.

So Common Council concurred.

On motion,

Adjourned.

FRIDAY, July 14, 1854.

Council met—Present,

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Hubbard, |
| Andress, | Hassinger, |
| Austin, | Laws, |
| Berry, | Lloyd, |
| Butcher, | Larzalere, |
| Boswell, | Mercer, |
| Cresswell, | Moran, |
| Conrad, | Martien, |
| Corlies, | Matthews, |
| Dunk, | Manuel, |
| Davenport, | Norton, |
| Dennis, | Newell, |
| Dougherty, | O'Neill, |
| Dubree, | Painter, |
| Eastwick, | Read, |
| Gibson, | Randall, |
| Giller, | Rhoads, |
| Grove, | Roberts, |
| Griscom, | Stuart, |
| Gay, | Scheetz, |
| Green, | Shuster, |
| Gratz, | Taylor, |
| Graeff, | Verree, |
| Houseman, | Watt, |
| Hoffman, | Wickersham, |
| Hacker, | Diehl, <i>President.</i> |

On motion,

The reading of the Journal of the previous meeting was dispensed with.

The President

Laid before the Council the following communication from the Mayor, to wit:

MAYOR'S OFFICE, }
Philadelphia, July 13th, 1854. }

To the President of Common Council,

SIR:

I have approved and signed an Ordinance entitled "An Ordinance to provide for the temporary Cleansing of the City, and to make an appropriation therefor."

R. T. CONRAD,

Mayor.

Which was read and laid upon the table.

Mr. O'Neill (on leave granted,)

Presented a petition from a number of physicians from the Seventeenth Ward (Kensington,) asking the attention of Councils to the filthy condition of certain streets, houses and cellars, therein, and moved to refer the same to a special committee of five, to report at the next stated meeting of Councils.

Which was agreed to.

And the President appointed Messrs. O'Neill, Painter, Dubree, Green and Gratz, said Committee.

Mr. Painter

Presented a petition from sundry workmen of the late District of Kensington, praying Council to take some action in relation to the payment of their bills for work done.

Which was read and referred to the Committee on Finance.

Mr. Houseman

Presented a petition from owners of property on Washington Street, near Thirteenth, asking that the water pipes may be laid in said street, and gas lamps placed therein, previous to paving said street.

Which was read, and that part of said petition relating to gas lamps, was referred to the Committee on Gas.

That part relating to pipes, to Committee on Water Works.

That part relating to paving, to the Committee on Highways.

Mr. Moran

Presented a communication from Ebenezer Mustin, soliciting the appointment of Commissioner of Highways.

Which was read and laid upon the table.

The President

Laid before the Council a communication from William M. Powell, tendering his resignation as member of the Gas Committee.

Which was read and accepted,

And the President appointed in lieu thereof, Mr. Manuel, of the Twentieth Ward.

Also,

A petition from Charles Mortimore of Thirteenth Ward, soliciting the appointment of Assistant Register of the Gas Works.

Which was read and laid upon the table.

Also,

A communication from Robert W. Jones, of Fifth Ward, soliciting the appointment of Commissioner of Highways.

Which was read and laid upon the table.

Also,

A communication from John M. Gibbs, Visitor of the Poor for Sixth District, (composed of the 16th, 17th and 18th wards,) asking to occupy the room used by the treasurer of the late District of Kensington, as his office.

Which was read and referred to the Committee on Poor.

Select Council

Inform this Council that they had passed an Ordinance "Relating to the Supervision of the Girard Estates, and the Girard College for Orphans," and ask concurrence, (*Appendix No. 38.*)

The Ordinance being under consideration,

The first section was read and agreed to.

The second section being under consideration,

Mr. Norton

Moved to amend on the fourth line by striking out all after the word "shall," to the word "with," and insert the following: "Make return in writing to the City Controller daily, under oath or affirmation, of each item of the monies received by him, and immediately upon making such return, pay the amount in his hands to the City Treasurer, to whom he shall also therewith furnish.

Which was agreed to.

Mr. Norton

Moved further to amend, to strike out "and furnish a written statement of the same to the City Controller."

Which was not agreed to.

On the section as amended,

The yeas and nays were demanded by Messrs. Norton and Giller, but before they were ordered,

Mr. O'Neill

Moved to reconsider the vote by which the section was amended.

Which was agreed to.

The question recurring on the second section without amendment,

It was agreed to.

The third section was agreed to.

The fourth section being under consideration,

Mr. Norton

Moved to amend after the word "and" in the first line, "Superintendent of."

The amendment was not agreed to.

The fourth section was then agreed to.

The fifth section was agreed to.

The sixth section being under consideration,

Mr. Giller

Moved to amend by striking out the words "the Committee" on the second line, and insert "Superintendent of Girard Estates, by and with the advice of Select Council."

On the question on the amendment,

The yeas and nays were demanded by Messrs. Norton and Giller,

And were as follows:

YEAS.—Messrs. Abbey, Davenport, Dougherty, Gibson, Giller, Griscom, Gay, Hassinger, Mercer, Norton, Diehl, *President*.—11.

NAYS.—Messrs. Andress, Austin, Berry, Butcher, Boswell, Cresswell, Conrad, Corlies, Dunk, Dubree, Eastwick, Grove, Green, Graeff, Houseman, Hoffman, Hacker, Hubbard, Laws, Lloyd, Larzalere, Moran, Martien, Matthews, Manuel, Newell, O'Neill, Painter, Reed, Randall, Rhoads, Roberts, Stuart, Scheetz, Taylor, Verree—37.

Yeas, 11; nays, 37.

Which was not agreed to.

The sixth section as read was then agreed to.

The seventh section being under consideration,

Mr. Giller

Moved to amend by striking out the "Committee on Girard Estates," and insert "Superintendent of Girard Estates, by and with the advice of Select Council."

Which was not agreed to.

On the seventh section as read,

The yeas and nays were called by Messrs. Dennis and Norton, but afterwards withdrawn.

The seventh section as read was then agreed to.

The eighth section was agreed to.

The ninth section was agreed to.

Message from Select Council,

With the report of Committee on City Property, with Ordinance attached.

The tenth section was agreed to.

The eleventh section was agreed to.

The twelfth section being under consideration,

Mr. Boswell

Moved to amend by striking out all after Girard Estates, on the 7th line.

Which was not agreed to.

The twelfth section as read was then agreed to.

The thirteenth section was agreed to.

The fourteenth section being under consideration,

Mr. Larzalere

Moved to amend by striking out "two thousand dollars" and inserting fifteen hundred, as the salary of the Superintendent of Girard Estates.

Also,

To strike out "fifteen hundred dollars," as the salary of the Agent of the Girard Estates, and insert in lieu thereof "twelve hundred."

Mr. Corlies

Moved an amendment to the amendment that the salary of the Agent of the Girard Estate be one thousand dollars, instead of twelve hundred.

On the question on the amendment to the amendment,

The yeas and nays were demanded by Messrs. Randall and Hacker.

And being ordered were as follows,

YEAS.—Messrs. Austin, Cresswell, Corlies, Davenport, Dennis, Dougherty, Dubree, Gibson, Griscom, Gay, Green, Houseman, Hubbard, Hassinger, Laws, Lloyd, Larzalere, Matthews, Manuel, O'Neill, Read, Scheetz, Taylor, Verree.

NAYS.—Messrs. Abbey, Address, Berry, Butcher, Boswell, Conrad, Dunk, Giller, Grove, Gratz, Graeff, Hoffman, Hacker, Mercer, Moran, Martien, Norton, Newell, Painter, Randall, Rhoads, Stuart, Shuster, Watt, Wickersham, Diehl, *President*.

Yeas, 24; Nays, 26.

Which was not agreed to.

Mr. Martien

Moved the division of the question.

Which was agreed to.

Question recurring on the amendment to strike out \$2,000 and insert \$1,500.

Mr. Hacker

Moved to amend by inserting \$1,800.

Question recurring on the amendment to the amendment,

The yeas and nays were demanded by Messrs. Stuart and Address.

Which were as follows:

Yeas.—Messrs. Address, Berry, Butcher, Boswell, Conrad, Dunk, Eastwick, Grove, Gratz, Graeff, Hoffman, Hacker, Larzalere, Martien, Norton, Newell, Stuart.

Nays.—Messrs. Abbey, Austin, Cresswell, Corlies, Davenport, Dennis, Dougherty, Dubree, Gibson, Giller, Griscom, Gay, Green, Houseman, Hubbard, Hassinger, Laws, Lloyd, Mercer, Matthews, Manuel, O'Neill, Painter, Read, Randall, Rhoads, Roberts, Scheetz, Shuster, Taylor, Verree, Watt, Wickersham, Diehl, *President*.

Ayes 17; nays 34.

So the amendment was not agreed to.

Question recurring on the amendment,

The yeas and nays were demanded by Messrs. Berry and Gibson.

Which were as follows:

YEAS.—Messrs. Austin, Cresswell, Conrad, Corlies,

Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Grove, Gay, Green, Houseman, Hubbard, Hassinger, Laws, Lloyd, Larzalere, Matthews, Manuel, Newell, O'Neill, Rhoads, Roberts, Scheetz, Shuster, Taylor, Verree, Wickersham.

NAYS.—Messrs. Abbey, Address, Berry, Butcher, Boswell, Dunk, Giller, Gratz, Graeff, Hoffman, Hacker, Mercer, Moran, Martien, Norton, Painter, Read, Randall, Stuart, Watt, Diehl, *President*.

Yeas, 30; nays, 21.

So the amendment was agreed to.

The question recurring on the amendment to strike out \$1,500 and insert \$1,200,

Mr. Giller

Moved to reduce the salaries to the rate of \$1.25 per day, and commence from the Mayor down.

Mr. Verree

Moved to amend to postpone the amendment to this day one year.

Both amendments were withdrawn.

Question on the amendment to insert \$1,200 being taken,

The yeas and nays were demanded by Messrs. Larzalere and O'Neill.

Which were were as follows:

YEAS—Messrs. Abbey, Address, Austin, Butcher, Cresswell, Conrad, Corlies, Dunk, Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Griscom, Gay, Green, Graeff, Houseman, Hoffman, Hubbard, Hassinger, Laws, Lloyd, Larzalere, Matthews, Manuel, Newell, O'Neill, Read, Rhoads, Roberts, Scheetz, Shuster, Taylor, Verree, Wickersham.

NAYS—Messrs. Berry, Boswell, Giller, Grove, Gratz, Hacker, Mercer, Moran, Martien, Norton, Randall, Stuart, Watt, Diehl, *President*.

Yeas, 37; nays, 14.

So the amendment was agreed to.

The question recurring on the third division,

Mr. Newell

Moved to strike out \$500 and insert \$300.

Mr. Houseman

Moved to amend by inserting \$400.

Which was not agreed to.

Question recurring on the amendment,

The yeas and nays were demanded by Messrs. Taylor, and Moran,

Which were as follows:

YEAS—Messrs. Andress, Austin, Butcher, Cresswell, Corlies, Dunk, Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Grove, Griscoin, Gay, Hubbard, Hasinger, Laws, Lloyd, Larzalere, Matthews, Manuel, Newell, O'Neill, Read, Rhoads, Roberts, Scheetz, Taylor, Wickersham.

NAYS—Messrs. Abbey, Berry, Boswell, Conrad, Giller, Green, Graeff, Houseman, Hoffman, Hacker, Mercer, Moran, Martien, Norton, Randall, Stuart, Shuster, Verree, Watt, Diehl, *President*.

Yeas, 30; nays, 20.

So the amendment was agreed to.

The question recurring on the fourth division,

It was agreed to.

The question recurring on the fifth division,

Mr. Eastwick

Moved to strike out \$600 and insert \$500.

Which was afterwards withdrawn, and

The question was agreed to.

The title was agreed to.

And the bill prepared for the third reading,

And by special order the bill was read the third time,
And agreed to.

Mr. Wickersham

Moved that Councils now take up the Ordinance
Levying the Rate of Taxes.

The bill was ordered to be prepared for a third reading.

And by a special order,

The bill was read the third time, when

Messrs. Hassinger and Stuart demanded the yeas and nays,

Which were as follows :

YEAS — Messrs. Abbey, Address, Berry, Butcher, Boswell, Cresswell, Corlies, Dunk, Davenport, Deunis, Dougherty, Dubree, Gibson, Giller, Grove, Griscom, Gay, Green, Gratz, Houseman, Hoffman, Hacker, Hubbard, Laws, Lloyd, Mercer, Moran, Martien, Manuel, Norton, Newell, Read, Rhoads, Stuart, Shuster, Watt, Wickersham and Diehl,
President.

NAYS — Messrs. Austin, Conrad, Eastwick, Graeff, Hassinger, Larzaleré, Matthews, O'Neill, Painter, Randall, Roberts, Scheetz, Taylor and Verree.

Yeas 38 ; nays 14.

So the bill was agreed to.

Select Council concurred.

Mr. Gratz

Asked leave to present an Ordinance. (*Appendix No. 39.*)

Which was granted.

“ An Ordinance fixing the Salary of the Mayor of the City of Philadelphia.”

The bill being under consideration,

Mr. O'Neill

Moved to strike out “ \$8,000,” and insert “ \$5,000.”

Mr. Abbey

Moved to amend the amendment, by inserting "\$7,000."

The yeas and nays were demanded by Messrs. Dubree and Giller,

Which were as follows :

YEAS—Messrs. Abbey, Andress, Butcher, Boswell; Conrad, Demis, Eastwick, Gibson, Grove, Green, Gratz, Hacker, Lloyd, Mercer, Moran, Martien, Matthews, Randall, Stuart, Verree and Wickersham.

NAYS—Messrs. Austin, Cresswell, Corlies, Davenport, Dougherty, Dubree, Giller, Griscom, Gay, Hoffman, Hubbard, Hassinger, Laws, Larzalere, Norton, O'Neill, Painter, Read, Rhoads, Roberts, Scheetz, Shuster, Taylor, Watt and Diehl, *President*.

Yeas 21 ; nays 35.

So the amendment to the amendment was not agreed to.

Mr. Painter

Moved to substitute \$6,000, instead of \$5,000.

The yeas and nays were demanded by Messrs. Hassinger and Dougherty,

Which were as follows :

YEAS—Messrs. Abbey, Andress, Austin, Butcher, Boswell, Corlies, Dougherty, Dubree, Eastwick, Gibson, Green, Gratz, Hoffman, Hacker, Lloyd, Mercer, Matthews, Manuel, Painter, Randall, Stuart, Scheetz, Shuster, Taylor, Verree, Watt and Wickersham.

NAYS—Messrs. Cresswell, Conrad, Davenport, Dennis, Giller, Griscom, Gay, Hubbard, Hassinger, Laws, Larzalere, Moran, Martien, Norton, O'Neill, Read, Rhoads, Roberts and Diehl, *President*.

Yeas 27 ; nays 19.

So the amendment was agreed to.

Mr. Gratz,

Moved to strike out all after the word "quarterly," in the fourth line.

The yeas and nays were demanded by Messrs. Dennis and Boswell,

Which were as follows :

YEAS—Messrs. Abbey, Address, Austin, Butcher, Boswell, Cresswell, Conrad, Davenport, Dennis, Eastwick, Gibson, Giller, Grove, Griscom, Gay, Green, Gratz, Hoffman, Haeker, Hubbard, Lloyd, Larzalere, Mercer, Moran, Martien, Norton, Newell, Painter, Read, Randall, Rhoads, Stuart, Shuster, Verree, Watt, Wickersham and Diehl, *President*.

NAYS—Messrs. Corlies, Dougherty, Dubree, Hassinger, Laws, Matthews, Manuel, O'Neill, Roberts, Scheetz and Taylor.

Yeas 37 ; nays 11.

So the amendment was agreed to.

The title was agreed to.

The bill was ordered to be prepared for the third reading.

The bill by special order, was read the third time, and agreed to.

Select Council concurred.

Message from Select Council,

Informing this Council that they had concurred the bill relating to the Receiver of Taxes, with sundry amendments.

Mr. Dennis (by leave,)

Offered the following resolution :

Resolved, That the School Directors of the Third Ward of the City of Philadelphia, have liberty to hold their meetings in the room known as the Commissioner's Room in the Southwark Hall, until otherwise ordered by Councils.

Which was twice read and agreed to.

Select Council concurred.

Mr. Hacker

Called up the communication from the Guardians of the Poor of the Eleventh and Twelfth Wards,

And offered the following resolution:

Resolved, That the room now occupied by the Mayor of the late District of the Northern Liberties, be appropriated to the Visitor of the Poor of the Eleventh and Twelfth Wards, until otherwise ordered by Councils.

Which was twice read and agreed to.

Select Council concurred.

Mr. Wickersham

Chairman of Finance Committee, made report, accompanied with an ordinance "To make an appropriation for the payment of certain claims for Labor." (*Appendix No. 40.*)

Which was read,

And being under consideration,

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The title was agreed to.

The bill was ordered to be prepared for the third reading.

The bill by special order, was read the third time and agreed to.

Select Council concurred.

Mr. Gratz

Moved that Council now proceed to the consideration of the ordinance "Organizing the Police Department of the City of Philadelphia."

The bill being under consideration,

Mr. Abbey

Moved to amend the first section, by striking out all in the first section, and insert the following:

SECTION 1. Be it ordained and enacted by the Select and Common Council of the City of Philadelphia, that for the purposes of Police, the several Wards in the City shall be divided into the following Police Districts, to wit: the

First District, to comprise the First Ward of the City of Philadelphia.

Second District, to comprise the Second, Third and Fourth Wards.

Third District, to comprise the Fifth and Sixth Wards.

Fourth District, to comprise the Seventh and Eighth Wards.

Fifth District, to comprise the Ninth and Tenth Wards.

Sixth District, to comprise the Eleventh, Twelfth and Thirteenth Wards.

Seventh District, to comprise the Fourteenth and Fifteenth Wards.

Eighth District, to comprise the Sixteenth, Seventeenth and Eighteenth Wards.

Ninth District, to comprise the Nineteenth Ward.

Tenth District, to comprise the Twentieth Ward.

Eleventh District, to comprise the Twenty-first Ward.

Twelfth District, to comprise the Twenty-second Ward.

Thirteenth District, to comprise the Twenty-third Ward.

Fourteenth District, to comprise the Twenty-fourth Ward.

Provided, That said Districts may be altered and changed, as the public service may desire, at the discretion of the Mayor.

Mr. Gibson

Moved to amend the amendment by making the Second Ward a separate Police District.

Message from Select Council,

Informing this Council that they non-concurred to the

amendments to the "Ordinance relating to the Girard Estates."

Mr. Griscom

Moved that the further consideration of the Police bill be postponed, and that the amendments be printed for the use of the members, and that the bill be made the special order of the day for next Tuesday.

Which afterwards was withdrawn.

Question recurring on the amendment to the amendment,

It was not agreed to.

Mr. Painter

Moved to amend the amendment by striking out all after the first section.

Which afterwards was withdrawn.

The question recurring on the amendment,

The yeas and nays were demanded by Messrs. Randall and Address.

Which were as follows:

YEAS—Messrs. Abbey, Address, Austin, Conrad, Corlies, Dougherty, Dubree, Griscom, Gay, Green, Houseman, Hoffinan, Hubbard, Hassinger, Laws, Lloyd, Larzalere, Matthews, Norton, Painter, Randall, Roberts, Scheetz, Shuster, Taylor, Verree, Wickersham.

NAYS—Messrs. Berry, Butcher, Boswell, Cresswell, Dunk, Davenport, Eastwick, Gibson, Giller, Gratz, Hacker, Mercer, Moran, Martien, Newell, Rhoads, Stuart, Diehl, *President*.

Yeas 27; nays 18.

So the amendment was agreed to.

The second section was agreed to.

The third section being under consideration,

Mr. Address

Moved to amend in the third line by inserting "and 4th lieutenant."

Mr. Newell

Moved to amend the amendment by striking out all after "a first lieutenant," and inserting "and three second lieutenants."

Which was agreed to.

The third section as amended was agreed to.

Section fourth being under consideration,

Mr. Painter

Moved to strike out the section and insert

"The Executive Police Force of the City of Philadelphia, exclusive of Lieutenants, shall be 500 men; to be distributed among the respective Districts as shall be designated by the Mayor."

Mr. Norton

Moved to amend the amendment by substituting 550 men.

The yeas and nays were demanded by Messrs. Dougherty and Address.

Which were as follows:

YEAS—Messrs. Corlies, Dubree, Griscom, Green, Norton, Roberts, Wickersham.

NAYS—Messrs. Abbey, Address, Austin, Berry, Butcher, Boswell, Dunk, Davenport, Dennis, Dougherty, Eastwick, Gibson, Giller, Gay, Gratz, Houseman, Hoffman, Hacker, Hubbard, Laws, Lloyd, Mercer, Moran, Martien, Matthews, Newell, Painter, Randall, Rhoads, Stuart, Scheetz, Shuster, Taylor, Verree.

Yeas 7; nays 34.

So the amendment to the amendment was not agreed to.

Mr. Randall

Moved to amend by substituting 600 instead of 500.

Mr. Martien

Moved to postpone the further consideration of the bill.

Which was not agreed to.

The question recurring on the amendment to substitute 600 men,

The yeas and nays were demanded by Messrs. Hassinger and Newell,

Which were as follows :

YEAS—Messrs. Andress, Corlies, Dunk, Dennis, Dougherty, Giller, Griscom, Gay, Green, Houseman, Hoffman, Hubbard, Laws, Matthews, Norton, Painter, Randall, Scheetz, Shuster, Taylor, Verree and Wickersham.

NAYS—Messrs. Abbey, Austin, Berry, Davenport, Dubree, Eastwick, Gibson, Gratz, Hacker, Hassinger, Lloyd, Martien, Manuel, Newell, Rhoads, Roberts, Stuart, and Diehl, *President*.

Yeas 22 ; nays 20.

So the amendment to the amendment was agreed to.

Mr. Hacker

Moved that the further consideration of the bill be postponed.

The yeas and nays were demanded by Messrs. Moran and Martien,

Which were as follows :

YEAS—Messrs. Abbey, Berry, Dunk, Davenport, Eastwick, Giller, Green, Gratz, Hacker, Hassinger, Moran, Martien, Matthews, Manuel, Newell, Rhoads, Roberts, Stuart, Shuster, Wickersham and Diehl, *President*.

NAYS—Messrs. Andress, Austin, Corlies, Dennis, Dougherty, Dubree, Gibson, Griscom, Gay, Houseman, Houseman, Hoffman, Hubbard, Laws, Lloyd, Mercer, Norton, Painter, Randall, Scheetz, Taylor and Verree.

Yeas 21 ; nays 20.

The postponement was agreed to.

Resolution of Select Council,

Announcing to this Council that when they adjourn they will meet on Tuesday afternoon next, at 3 o'clock.

Which was concurred in.

The President

Presented three communications from the Board of Health.

Which were read and referred,

One to Committee on Finance,

Two to Committee on Health.

The President

Also, laid before Councils the Pay Rolls of the District of Richmond, for the month of June.

Referred to Finance Committee.

Adjourned.

TUESDAY, July 18th, 1854.

Council met—Present

Méssrs. Abbey,
Andress,
Austin,
Berry,
Balch,
Bumm,
Binder,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Conrad,
Corlies,
Crispin,
Dunk,
Davenport,
Dennis,
Dubree,
Dougherty,
Eastwick,
Gibson,
Grove,
Griscom,
Gillingham,
Gay,
Green,
Gratz,
Houseman,
Hoffman,
Horn,

Messrs. Hacker,
Hubbard,
Hoppel,
Hilles,
Hassinger,
Laws,
Lloyd,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Norton,
Newell,
O'Neill,
Painter,
Preston,
Read,
Randall,
Roberts,
Stuart,
Scheetz,
Shuster,
Stallman,
Taylor,
Verree,
Wickersham,
Wagner,
Diehl, *President.*

The President

Laid before Council a communication from Courtland S. Follwell, of Tenth Ward, soliciting the office of Commissioner of Highways.

Which was read and laid upon the table.

Also,

A communication from the Board of Health, accompanied by the following resolution :

Resolved, That Adams Street above and below Columbia Street, Third Street above and below Columbia Street, and Columbia Street from Adams to Cadwallader, are nuisances, prejudicial to health, and that the City Councils be requested to cause the same to be removed by paving, grading or otherwise.

Which was read and referred to the Committee on Health.

Also,

A communication from Henwood & Rickards, asking the attention of Councils to the condition of the Dock on the north side of Almond Street Landing, and requesting that the same may be cleaned out as early possible.

Which was referred to the Committee on Port Wardens and Public Landings.

Mr. Stuart

Presented a memorial from citizens and tax payers of the Fifth Ward, praying Councils that adequate and ample provision be made in the constitution of the police, for the prevention of disorder and violence, and for the protection of the people and their property.

Mr. Boswell

One of like import from citizens of the Twenty-fourth Ward.

Mr. Grove

One of like import from citizens of the Sixth Ward.

Mr. Wagner

One of like import from citizens of the Twelfth Ward.

Mr. Balch

One of like import from citizens of the Ninth Ward.

Mr. Horn

One of like import from citizens of the Eleventh Ward.

Mr. Laws

One of like import from citizens of the Twelfth Ward.

Mr. Gibson

One of like import from citizens of the Second Ward.

Mr. Martien

One of like import from citizens of the Tenth Ward.

Messrs. Hoppel and Green

One each, of like import from citizens of the Eighteenth Ward.

Mr. Gratz

One of like import from citizens of the Twentieth Ward.

Mr. Mercer

One of like import from citizens of the Second Ward,
Which were read and respectively referred to the Committee on Police.

The President

Laid before the Council the following resolution from Select Council, to wit:

Resolved, That the Committee of Highways and Bridges be directed to inquire, at as early a day as possible, the manner in which the work is being done at the Girard Avenue Bridge, and whether the builders are complying with the terms of their contracts; and that said committee be empowered to enforce a strict compliance therewith.

Which was read twice, and
Common Council concurred.

Mr. Laws

Presented a communication from residents, &c., near Willow Alley, suggesting the propriety of placing a fire plug therein.

Which was read and referred to the Committee on Water Works.

Mr. Stillman

Presented petitions from citizens of the Twenty-second Ward, asking the passage of an ordinance establishing a market stand on Germantown Avenue, from Centre to Mill Streets.

Which were read and referred to the Committee on Market Houses.

Mr. Norton

Presented a communication from Benjamin Jones, asking that an appropriation may be made for the payment of road damages awarded him by the opening of Reed Street.

Which was read and referred to the Committee on Finance.

The President

Presented a petition from J. P. Stidham, M. D., soliciting the appointment of Vaccine Physician.

Which was read and laid on the table.

Also,

A petition from Joseph B. Smith, of Twenty-fourth Ward, (accompanied with a recommendation of citizens,) soliciting the appointment of Supervisor of Highways.

Which was read and laid upon the table.

Also,

A communication from Ebenezer Mustin, asking the privilege of removing the "Washington Bench," loaned by him to City Councils.

Which was referred to the Committee on City Property.

Mr. O'Neill, Chairman of the Special Committee on Petition of Physicians of 17th Ward, made the following report. (*Appendix No. 41.*)

Which was accepted, and

Mr. Painter offered the following resolution:

Resolved, That the Superintendent of Highways in that section of the City be instructed to employ a sufficient number of laborers, carts and horses, to fill up the ponds complained of at once, under the direction of your Committee.

Which was read, and being under consideration,

Mr. Newell

Moved to amend, by striking out "Superintendent of Highways," and refer the resolution to the Committee on Health.

Mr. Randall

Moved to amend the amendment by inserting after "Superintendent of Highways," the words, "of the late District of Kensington."

Which was subsequently withdrawn.

The question being taken upon the amendment,

It was not agreed to.

Mr. Randall

Moved to amend, by striking out "In that section of the City of," and inserting after "Highways," the words, "of the late District of Kensington."

Which amendment was accepted.

And on the question to adopt the resolution, the yeas and nays were demanded by Messrs. Painter and Gillingham, and being ordered were as follows:

YEAS—Messrs. Bumm, Copeland, Cresswell, Crispin, Dougherty, Dubree, Gillingham, Green, Lloyd, Mercer, Norton, O'Neill, Painter, Preston, Randall, Roberts, Stallman, Taylor, Wagner.

NAYS—Messrs. Abbey, Address, Austin, Berry, Balch, Binder, Butcher, Boswell, Cowell, Conrad, Corlies, Dunk,

Davenport, Dennis, Gibson, Grove, Griscom, Gay, Gratz, Houseman, Hoffman, Horn, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Laws, Larzalere, Martien, Matthews, Manuel, Newell, Read, Stuart, Scheetz, Verree, Wickersham, Diehl, *President*.

Yeas 19; nays 39.

So the resolution was not adopted.

Mr. Gratz offered the following resolution:

Resolved, That the Board of Health be requested to have the nuisances in the Seventeenth Ward, as per petition presented this day, forthwith abated; and that the low grounds within the bounds of said Ward be filled up to such levels as will secure the neighborhoods from the evils arising therefrom.

Which was read.

Mr. Griscom

Moved to amend, by inserting, "at the expense of owners of the property."

On this amendment the yeas and nays were called, but before being ordered the amendment was withdrawn.

And the resolution was adopted.

Mr. Mercer,

Chairman of Special Committee on the Philadelphia, Wilmington, and Baltimore Railroad Company, made report, (*Appendix No. 42*).

Which was read.

Mr. Gibson offered the following resolution:

Resolved, That the Committee be continued, and instructed to inquire by what authority the Southwark Railroad Company run locomotives on Washington Street, through the Second Ward.

Which was read.

Mr. Newell

Moved to refer the resolution to the Committee on Railroad.

Which was not agreed to.

The question recurring on the resolution, it was referred to the Special Committee.

Mayor's Clerk entered, with a Communication from the Mayor in writing.

Select Council informs this Council, that they insist on their amount of salary, \$2,000, for the Superintendent of Girard Estates.

Mr. Stuart

Moved that this Council recede.

The yeas and nays were demanded by Messrs. Laws and Hassinger,

Which were as follows :

YEAS—Messrs. Abbey, Address, Berry, Bumm, Boswell, Copeland, Cowell, Dunk, Dennis, Eastwick, Grove, Griscom, Gillingham, Green, Gratz, Hoffinan, Horn, Hacker, Hoppel, Mercer, Martien, Norton, Newell, Painter, Randall, Stuart, Shuster, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Binder, Butcher, Cresswell, Conrad, Corlies, Crispin, Davenport, Dougherty, Dubree, Gibson, Gay, Houseman, Hubbard, Hilles, Hassinger, Laws, Lloyd, Larzalere, Matthews, Manuel, O'Neill, Preston, Read, Roberts, Scheetz, Stallman, Taylor, Verree.

Yeas 30 ; nays 29.

So Common Council recedes.

Also,

That they insist on the salary of the Agent of Girard Farms.

Mr. Stuart

Moved that this Council recede.

The yeas and nays were demanded by Messrs. Dennis and Newell.

Which were as follows :

YEAS—Messrs. Abbey, Address, Berry, Bumm, Boswell, Cowell, Dunk, Gillingham, Green, Hoffinan, Horn, Hoppel, Mercer, Martien, Norton, Painter, Preston, Randall, Stuart, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Balch, Binder, Butcher, Copeland, Cresswell, Conrad, Corlies, Crispin, Davenport, Dennis,

Dougherty, Dubree, Eastwick, Gibson, Grove, Griscom, Gay, Gratz, Houseman, Hacker, Hubbard, Hilles, Hassinger, Laws, Lloyd, Larzalere, Moran, Matthews, Manuel, Newell, O'Neill, Read, Roberts, Scheetz, Shuster, Stallman, Taylor, Verree, Wickersham.

Yeas, 21; nays, 39.

So Common Council do not recede.

Mr. Boswell

Moved that a Committee of Conference be appointed to confer,

When the President appointed Messrs. Boswell, Dennis, and Balch.

Mr. Hoppel

Presented a bill from Joseph Vaughan and Gabriel Henry, Police Officers of the late District of Kensington, for arresting dogs running at large.

Which was read,

And referred to the Committee on Finance.

Mr. Bumm

Presented sundry bills from Jonathan Jenks and Benj. Moore.

Which was referred to the Committee on Claims.

Select Council

Informs this Council that they had concurred in the resolution authorizing the Committee on Gas to lay mains in certain Districts, with an amendment by adding "Belmont."

Common Council concurred in the amendment.

Select Council also informs this Council,

That they had concurred in the bill prescribing "the powers and duties of the City Treasurer," with sundry amendments, viz:

In the eighth section have stricken out all after the word "assessment," in the the third line.

Common Council concurred.

Also,

That the "ninth section," be stricken out.

Common Council non-concurred.

Also,

That in section tenth, (now ninth,) in the first line, to strike out "six" and insert "four."

Also,

In the second line, to strike out "Clerk of Water Rents and Clerk of Gas Rents."

Common Council concurred.

Also,

That they have added a new section, as follows:

The salaries of the various officers in this department shall be as follows, payable quarterly,

| | |
|------------------------------------|---------|
| City Treasurer, - - - - - | \$3,500 |
| Book-keeper, - - - - - | 1,200 |
| Stock Clerk, - - - - - | 1,000 |
| 1st and 2d Clerks, each, - - - - - | 900 |
| Messenger, - - - - - | 600 |

Mr. Wickersham

Moved to amend the salary of the Book-keeper to \$1,500.

The yeas and nays were demanded by Messrs. Wickersham and Cowell.

Which were as follows:

YEAS—Messrs. Abbey, Butcher, Copeland, Cowell, Grove, Griscom, Hoffinan, Hacker, Hoppel, Hilles, Lloyd, Larzalere, Moran, Martien, Matthews, Norton, Painter, Read, Randall, Stuart, Shuster, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Andress, Austin, Berry, Balch, Bumm, Binder, Cresswell, Conrad, Corlies, Crispin, Dunk, Davenport, Dougherty, Dubree, Eastwick, Gibson, Gillingham, Gay, Houseman, Horn, Hubbard, Hassinger, Laws, Mercer, Manuel, Newell, Preston, Scheetz, Stallman, Taylor, Verree,

Yeas, 24; nays, 31.

The amendment was not agreed to.

Mr. Crispin

Called for the division of the question.

Mr. Crispin

Moved to amend the first division by striking out \$3,500, and inserting \$2,500.

The yeas and nays were demanded by Messrs Crispin and Laws,

Which were as follows,

YEAS—Messrs. Austin, Berry, Balch, Binder, Creswell, Conrad, Corlies, Crispin, Dunk, Dougherty, Dubree, Gibson, Griscom, Gillingham, Gay, Housman, Horn, Hubbard, Hilles, Hassinger, Laws, Lloyd, Larzalere, Matthews, Manuel, O'Neill, Preston, Roberts, Scheetz, Stallman, Taylor.

NAYS—Messrs. Abbey, Andress, Bumm, Butcher, Copeland, Cowell, Davenport, Dennis, Eastwick, Grove, Green, Gratz, Hoffman, Hacker, Hoppel, Mercer, Moran, Martien, Norton, Newell, Painter, Read, Randall, Stuart, Shuster, Verree, Wickersham, Wagner, Diehl, *President*.

Yeas, 31; nays, 29.

So the amendment was agreed to.

Question recurring on the division as amended,

Mr. Gillingham,

Moved a re-consideration of the amendment.

The yeas and nays were demanded by Messrs. Crispin and Hoppel,

Which were as follows:

YEAS—Messrs. Abbey, Andress, Berry, Bumm, Butcher, Boswell, Copeland, Cowell, Dunk, Davenport, Dennis, Eastwick, Gillingham, Gratz, Hoffman, Hacker, Hoppel, Mercer, Moran, Martien, Norton, Newell, Painter, Read, Randall, Stuart, Shuster, Verree, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Balch, Binder, Creswell, Conrad, Corlies, Crispin, Dougherty, Dubree, Gibson, Gorge, Griscom, Gay, Green, Houseman, Horn, Hubbard,

Hilles, Hassinger, Laws, Larzalere, Matthews, Manuel, O'Neill, Preston, Roberts, Scheetz, Stallman, Taylor.

Yeas, 31; nays, 29.

So the re-consideration was agreed to.

Question recurring on the amendment of \$2,500,

Mr. Crispin

Moved to insert \$3,000 in lieu of \$2,500.

The yeas and nays were demanded by Messrs. Gibson and Hilles,

Which were as follows :

YEAS—Messrs. Austin, Bumm, Binder, Butcher, Boswell, Cresswell, Conrad, Corlies, Davenport, Dougherty, Dubree, Eastwick, Gibson, Griscom, Gay, Green, Houseman, Horn, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzalere, Matthews, Manuel, O'Neill, Roberts, Scheetz, Shuster, Stallman, Taylor, Verree.

NAYS—Messrs. Abbey, Berry, Balch, Copeland, Cowell, Dunk, Dennis, Grove, Gillingham, Gratz, Hoffinan, Hacker, Laws, Mercer, Moran, Martien, Norton, Painter, Preston, Read, Randall, Stuart, Wickersham, Wagner, Diehl, *President*.

Yeas, 33; nays, 25.

So the amendment to the amendment was agreed to.

The question on the second division was agreed to.

The question on the third division was agreed to.

The question on the fourth division was agreed to.

The question on the fifth division was agreed to.

Mr. Hoppel

Moved to re-consider the vote on the eighth section.

Which was agreed to.

Question recurring on the eighth section as amended,

It was agreed to.

Mr. Hoppel

Moved to concur in the amendment to strike out the ninth section.

Which was agreed to.

So Common Council concurred.

Mr. Norton

Presented a communication from R. Rundle Smith, with bill for road damages.

Which was referred to the Committee on Finance.

Mr. Gillingham

Offered the following resolution:

Resolved, That the Committee on Highways be instructed to inquire into the expediency of removing the rails from Market, Third, and Dock Streets.

Which was twice read and agreed to.

Select Council concurred.

Mr. Larzalere

Presented a report from Local Committee of the Thirteenth, Fourteenth, and Fifteenth Wards, with sundry bills for labor, &c. (*Appendix No. 43.*)

Which was referred to the Committee on Finance.

Mr. Taylor offered the following resolution:

Resolved, That the proper officer of the late District of Kensington be directed forthwith to take all hogs found running at large in the District, and dispose of them according to law.

Which was twice read and agreed to.

Mr. Wickersham offered the following resolution:

Resolved, That the City Treasurer be and is hereby directed to notify the holders of claims, orders or due bills of the municipalities, districts, boroughs and townships, comprised within the bounds of the Consolidated City, to present the same to the City Treasurer.

Which was twice read and agreed to.

Select Council concurred.

Mr. Hacker

Presented a communication from E. C. Graeff, relating to damages for widening Richmond Street.

Which was referred to Committee on Claims.

Mr. Gillingham offered the following resolution :

Resolved, That the Committee on Highways be instructed to report an ordinance regulating the passage of carts, drays, &c., along the streets and thoroughfares of the City, in order to afford greater safety and security to pedestrians and others using said streets.

Which was twice read and agreed to.

Mr. Gratz

Moved that Council now proceed to the consideration of the bill "Organizing the Police."

Which was agreed to.

Mr. Balch

On leave made a statement.

Messrs. Dennis and Green

Moved the re-consideration of the vote on the fourth Section.

The yeas and nays were demanded by Messrs. Randall and Hoffinan,

Which were as follows :

AYES—Messrs. Abbey, Berry, Balch, Binder, Butcher, Boswell, Copeland, Cresswell, Dunk, Davenport, Dennis, Eastwick, Gibson, Grove, Griscom, Gillingham, Green, Gratz, Hoffinan, Horn, Hacker, Lloyd, Mercer, Moran, Martien, Manuel, Newell, Preston, Read, Stuart, Stallman, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Conrad, Corlies, Dougherty, Dubree, Gay, Hubbard, Hilles, Hassinger, Laws, Lazalere, Matthews, Norton, Painter, Randall, Roberts, Scheetz, Shuster, Taylor, Verree, Wickersham.

Ayes 33 ; nays 21.

So the section was re-considered.

The question recurring on the amendment,

Mr. O'Neill

Moved to amend by inserting four hundred and eighty men.

The amendment was not agreed to.

Mr. Newell

Moved to amend by substituting eight hundred and twenty men in lieu of six hundred.

When the yeas and nays were demanded by Messrs. O'Neill and Eastwick,

Which were as follows :

AYES—Messrs. Abbey, Berry, Balch, Butcher, Boswell, Copeland, Cowell, Cresswell, Dunk, Davenport, Dennis, Eastwick, Gibson, Grove, Gillingham, Green, Gratz, Houseman, Hoffman, Horn, Hacker, Hoppel, Mercer, Moran, Martien, Newell, Stuart, Stallman, Wagner, Diehl, *President*.

NAYS—Messrs. Address, Austin, Binder, Conrad, Corlies, Dougherty, Dubree, Griscom, Gay, Hubbard, Hilles, Hassinger, Laws, Lloyd, Larzalere, Matthews, Manuel, Norton, O'Neill, Painter, Read, Randall, Roberts, Scheetz, Shuster, Verree, Wickersham.

Yeas 30 ; nays 27.

So the amendment was agreed to.

Mr. Laws offered the following amendment to the section :

To insert in second line, after the word men, "they shall be," and strike out all after the word Districts, "designated in this ordinance."

First District, 20 men, First Ward.

Second District, 115 men, Second, Third and Fourth Wards.

Third District, 80 men, Fifth and Sixth Wards.

Fourth District, 80 men, Seventh and Eighth Wards.

Fifth District, 80 men, Ninth and Tenth Wards.

Sixth District, 120 men, Eleventh, Twelfth and Thirteenth Wards.

Seventh District, 80 men, Fourteenth and Fifteenth Wards.

Eighth District, 115 men, Sixteenth, Seventeenth and Eighteenth Wards.

Ninth District, 45 men, Nineteenth Ward.

Tenth District, 25 men, Twentieth Ward.

Eleventh District, 15 men, Twenty-first Ward.

Twelfth District, 15 men, Twenty-second Ward.

Thirteenth District, 10 men, Twenty-third Ward.

Fourteenth District, 20 men, Twenty-fourth Ward.

The said Policemen shall be nominated and by and with the advice and consent of the Select Council, appointed by the Mayor.

Which was agreed to.

The Section (fourth), as amended was agreed to.

Section fifth was agreed to.

Section sixth, being under consideration,

Mr. Gratz

Moved that the word "to" in the fifth line be stricken out.

Which was agreed to.

Mr. Norton

Moved to amend, by striking out in the third line "for one year," and insert "at the pleasure of the Mayor."

Which was agreed to.

The sixth section as amended was agreed to.

Section seventh was agreed to.

Section eighth was agreed to.

Section ninth, being under consideration,

Mr. Norton

Moved to amend in third line, after the word first "and second," and add "s" after the word "Ward." And also in the fourth line to strike out "second," and insert the word "and" after "third."

Which was agreed to.

Mr. Butcher

Moved to amend in second line after the word "Districts," "except the Twenty-fourth Ward, which shall have two Committing Magistrates."

Which was agreed to.

So the section as amended was agreed to.

Mr. Martien

Moved a re-consideration of the third section.

Which was agreed to.

Mr. Martien

Moved to amend by striking out "a" in the second line and insert "the," also, to strike out "three second lieutenants" and insert "three sergeants."

Mr. Randall

Moved to amend the amendment, by substituting "two sergeants."

Which amendment to the amendment was agreed to.

So the section as amended was agreed to.

Mr. Gillingham

Moved a re-consideration of the ninth section,

Which was agreed to.

Mr. Gillingham

Moved to amend in tenth line by striking out "and eighteenth," and insert "and" after "sixteenth," and also, in eleventh line, to insert "eighteenth and" before nineteenth.

Which amendment was agreed to.

The section as amended was agreed to.

So the tenth section was agreed to.

The eleventh section being under consideration,

Mr. Hoppel

Moved to amend in third line, to strike out "weekly"

and insert "at the end of each term of the Court of Quarter Sessions."

Mr. Norton

Moved to amend that the word "weekly" be stricken out and have nothing inserted.

Which was not accepted.

The question recurring on the amendment,

The yeas and nays were demanded by Messrs. Moran, and Hoppel,

Which were as follows:

YEAS—Messrs. Abbey, Address, Binder, Cowell, Corlies, Dubree, Griscom, Gay, Green, Hacker, Hoppel, Haslinger, Laws, Moran, Martien, Manuel, Newell, O'Neill, Painter, Reed and Shuster.

NAYS—Messrs. Berry, Butcher, Boswell, Cresswell, Dunk, Dennis, Eastwick, Gibson, Gillingham, Gratz, Horn, Hubbard, Lloyd, Larzalere, Mercer, Matthews, Norton, Stuart, Wickersham, Wagner and Diehl, *President*.

Yeas 21; nays 21.

So the amendment was not agreed to.

Mr. Painter

Moved to adjourn,

Which he afterwards withdrew.

Mr. Norton

Moved to amend in third line by striking out after the word such "all," and after the word cases "as," and insert after cases "in which any person or persons."

Which was agreed to.

Mr. Gillingham

Moved to amend in fourth line by striking out after the word "of one or both of" and insert "or one of the two sergeants."

Which was agreed to.

The section as amended was agreed to.

Mr. Gratz

Moved to insert a new section, which will be section twelfth, viz:

SECTION 12. That so much of any and all former ordinances, as are altered or supplied by the provision of this ordinance, be, and the same are hereby repealed.

Which was agreed to.

The title was agreed to,

And the bill was ordered to be prepared for a third reading.

The bill by special order was read the third time, and agreed to.

Select Council

Informs this Council that they have concurred in the bill entitled "An Ordinance prescribing the powers and duties of the Receiver of Taxes," with the following amendment, to wit:

Mr. Laws

Moved that the further consideration of the bill be postponed,

Which was not agreed to.

Have stricken out in third section, all in the third line after the word "June," and insert "and the said Alderman shall be required to make return to the City Controller at least once in every week, under oath or affirmation, of each item of such tax received by them, and immediately upon making such return pay the same to the Receiver of Taxes."

Common Council concurred.

Also have stricken out in the fourth section, second line, the words "by himself or his Chief Clerk;" also at the end of second line, the words "or his Deputy."

Common Council concurred.

Also,

In the eighth section, have stricken out, in the third line, all after the word "assessments."

Common Council concurred.

Also,

In the tenth section, have stricken out, in the second line, the words "Committee on Finance," and insert "Select Council."

Common Council concurred.

Also,

In the eleventh section, have stricken out "\$2000" and inserted "\$3000."

Mr. Dennis

Moved that Common Council do concur,

When the yeas and nays were demanded by Messrs. Dennis and Davenport.

Which were as follows:

AYES—Messrs. Abbey, Dunk, Gillingham, Hacker, Hoppel, Moran, Martien, Norton, Read, Stuart, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Andress, Berry, Binder, Butcher, Boswell, Cowell, Cresswell, Corlies, Davenport, Dennis, Dubree, Eastwick, Gibson, Gay, Green, Gratz, Horn, Hubbard, Hassinger, Laws, Lloyd, Larzalere, Mercer, Matthews, Manuel, Newell, Roberts, Shuster.

Yeas 13; nays 28.

So Common Council non-concurred.

The communication was read and laid on the table.

{ MAYOR'S OFFICE,
} *Philadelphia, July 18, 1854.*

To the President of Common Council.

SIR,—

I have approved and signed the following ordinances, viz:

"An ordinance to make an appropriation from the income of the Girard Estates, for the payment of State taxes, and certain annuities.

“An ordinance to levy and fix the rate of taxes for the year eighteen hundred and fifty-four.”

“An ordinance, fixing the salary of the Mayor of the City of Philadelphia.”

“An ordinance to make an appropriation for the payment of certain claims for labor.”

R. T. CONRAD,

Mayor.

Mr. Cowell

Moved to adjourn.

The yeas and nays were demanded by Messrs. Dennis and Gillingham.

Which were as follows:

YEAS—Messrs. Berry, Butcher, Boswell, Cowell, Dennis, Dubree, Gibson, Gray, Gratz, Horn, Lloyd, O'Neill.

NAYS—Messrs. Abbey, Address, Binder, Cresswell, Corlies, Dunk, Davenport, Eastwick, Gillingham, Green-Hacker, Hubbard, Hoppel, Hassinger, Laws, Larzalere, Mereer, Moran, Martien, Matthews, Manuel, Norton, Newell, Read, Stuart, Shuster, Wickersham, Wagner, Diehl,
President.

Yeas 12; nays 29.

So the motion to adjourn was not agreed to.

Select Council

Informs this Council that they have passed a bill entitled “An Ordinance prescribing the powers and duties of the City Controller.” (*Appendix No. 44.*)

Which was read and being under consideration,

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

Section sixth was agreed to.

Section seventh was agreed to.

Section eighth was agreed to.

Section ninth was agreed to.

Section tenth was agreed to.

Section eleventh was agreed to.

Section twelfth being under consideration,

Mr. Wagner

Moved to amend by striking out \$3,000 and insert \$3,500.

Mr. Boswell

Moved further to amend by inserting \$2,500.

The yeas and nays were demanded on the amendment of Mr. Boswell.

Which were as follows:

YEAS—Messrs. Andress, Binder, Butcher, Boswell, Cowell, Cresswell, Corlies, Dubree, Gibson, Gillingham, Green, Hassinger, Laws, Lloyd.

NAYS—Messrs. Abbey, Berry, Dunk, Davenport, Dennis, Eastwick, Gratz, Horn, Hacker, Hubbard, Hoppel, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, Read, Stuart, Shuster, Wickersham, Wagner, Diehl, *President*.

Yeas, 14; nays, 25.

So the amendment to the amendment was not agreed to.

Question recurring on the amendment of Mr. Wagner.

The yeas and nays were demanded by Messrs. Berry and Gibson,

Which were as follows:

YEAS—Messrs. Abbey, Berry, Dunk, Gratz, Hacker, Larzalere, Moran, Matthews, Manuel, Newell, Read, Stuart, Wagner, Diehl, *President*.

NAYS—Andress, Binder, Butcher, Boswell, Cowell, Cresswell, Corlies, Davenport, Dennis, Dubree, Eastwick, Gibson, Gillingham, Gay, Green, Horn, Hubbard, Hoppel,

Hassinger, Laws, Lloyd, Mercer, Martien, Norton, Roberts, Shuster, Wickersham.

Yeas 14; nays 27.

So the amendment was not agreed to.

The question recurring on the section,

It was agreed to.

The title was agreed to.

The bill was ordered to be prepared for a third reading.

The bill by special order, was read the third time and agreed to.

So Common Council concurred.

Select Council

Inform this Council that they have receded from their amendment relative to the salary of the Agent of the Girard Farms.

Also,

That they insist on their amendment relative to the salary of the City Treasurer, and have appointed a Committee of Conference,

Messrs. Hague, Hutchinson and Hinman.

On motion,

Adjourned.

THURSDAY, July 20th, 1854.

Council met—Present

Messrs. Abbey,
 Berry,
 Bishop,
 Bumm,
 Boyle,
 Binder,
 Butcher,
 Boswell,
 Copeland,
 Cowell,
 Cresswell,
 Conrad,
 Dunk,
 Davenport,
 Dennis,
 Dubree,
 Eastwick,
 Gibson,
 Giller,
 Grove,
 Gillingham,
 Gay,
 Gratz,
 Hoffinan,
 Hacker,
 Hubbard,
 Hoppel,
 Hilles,

Messrs. Hassinger,
 Laws,
 Lloyd,
 Larzalere,
 Mercer,
 Moran,
 Martien,
 Matthews,
 Manuel,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Pomeroy,
 Preston,
 Randall,
 Rhoads,
 Roberts,
 Stuart,
 Scheetz,
 Shuster,
 Smith,
 Stallman,
 Verree,
 Wickersham,
 Wagner,
 Dichl, *President.*

Mr. Larzalere

Moved that the reading of the Journal be dispensed with.

Mr. Hilles

Presented communications from sundry citizens of the Twenty-third Ward, recommending Joseph H. Comly as a suitable person for Commissioner of Highways.

Mr. Giller

Presented a communication from property holders on Eleventh Street between Shippen and Fitzwater, to have the Gas Pipes laid in said street.

Referred to Committee on Gas Works.

Mr. O'Neill

Presented a petition from citizens of the late District of Kensington, to have certain fire plugs removed in said District, to the summit of the streets.

Referred to Committee on Water Works.

Mr. Wagner

Presented a communication from sundry citizens, to have Thirteenth Street paved from Girard Avenue to Columbia Avenue.

Referred to Committee on Highways.

Mr. Eastwick

Presented a communication and petition from John W. Everman, soliciting the appointment of Commissioner of Highways.

Which was laid on the table.

Mr. Boswell

Presented a petition from sundry citizens, praying to have Shippen and Fitzwater Streets opened and extended to Gray's Ferry Road, and Nineteenth Street be opened and extended from South to Prime Street.

Referred to Committee on Highways.

Also,

A petition and bill from B. Severson, relating to the building of the Iron Bridge at Gunner's Run, and requesting Councils to view the same.

Referred to the Committee on Finance.

Mr. Martien

Presented a communication from James Smith, relating to the purchase or rental of the late Commissioner's Hall of the Northern Liberties.

Referred to Committee on City Property.

Mr. Moran

Presented a communication from Messrs. J. H. Purdy and Wm. J. Philips, relating to a Fire and Police Telegraph.

Moved to refer to the Police Committee.

Mr. Cowell

Moved to amend to refer to the Committee on Trusts and Fire Department.

The yeas and nays were demanded by Messrs. Martien and Cowell,

Which were as follows :

YEAS — Messrs. Abbey, Berry, Bishop, Copeland, Cowell, Cresswell, Davenport, Dubree, Gibson, Hubbard, Hoppel, Hassinger, Laws, Martien, Matthews, Manuel, Newell, Pomeroy, Rhoads, Roberts, Stuart, Scheetz, Smith, Stallman, Wickersham, Diehl, *President*.

NAYS — Messrs. Boswell, Conrad, Dunk, Dennis, Eastwick, Giller, Grove, Gillingham, Gratz, Hilles, Larzalere, Mercer, Moran, Magarge, Norton, Painter, Preston, Verree Wagner.

Yeas 26 ; nays 20.

So the amendment was agreed to.

Mr. Hoppel

Presented a communication from citizens of the Eighteenth Ward, residing in Queen between Shackamaxon and Marlborough Streets, to have said Queen Street re-paved.

Which was referred to the Committee on Highways.

Mr. Gillingham

Presented a petition from citizens of the Sixteenth Ward relating to culverting Cohocksink Creek.

Referred to Special Committee on Cohocksink Creek.

Mr. Manuel

Presented a communication from R. D. Wood & Co., relating to cast iron inlet frames and covers.

Which was referred to Committee on Highways.

Mr. Preston

Presented a petition from citizens of the Twenty-first Ward, recommending Moses Miller as Police Magistrate of said Ward.

Which was laid on the table.

Mr. Smith

Presented a communication and petition from citizens of the Twenty-second Ward, recommending F. Emhardt as Commissioner of Highways.

Which was laid on the table.

The President

Presented a communication from J. Cooke Longstreth, attorney for Cornelius Wainwright, relating to judgment obtained against the District of Richmond.

Which was referred to the Committee on Port Wardens, &c.

Mr. Magarge

Presented a communication from Philip Peltz and Algernon Weiss, Auditors of the township of North Penn, with claim in favor of Joseph Shantz, late Supervisor of said Township.

Which was referred to the Committee on Finance.

Mr. O'Neill

Presented a communication from Joseph Taylor relating to claim for damages for opening Charlotte Street.

Referred to Committee on Finance.

The President

Presented a communication from owners of property on Lewis between Jefferson and Oxford Streets, to have water pipes laid on said Street.

Which was referred to the Committee on Water Works.

Also,

A communication from the Guardians of the Poor, asking for an appropriation of \$5,000 for their current expenses.

Which was referred to the Committee on Finance.

Also,

A communication from the Board of Port Wardens, relating to the building of two wharves for the Greenwich Land and Building Association.

Which was referred to the Committee on Port Wardens, &c.

Also,

A communication from Williams Ogle, Alderman of Eighth Ward, offering himself as a candidate for Committing Magistrate of said Ward.

Which was laid upon the table.

Also,

A communication from Charles S. Smith, offering himself as a candidate for Superintendent of the Girard Estate, and submitting Daniel Smith, Jr., and William S. Smith as sureties.

Which was laid on the table.

Also,

A petition from citizens of the Nineteenth Ward, recommending Jacob P. Garlanger as a suitable candidate for Commissioner of Highways of said Ward.

Which was laid on the table.

Also,

A bill from Richmond Gas Company for Gas used by the District of Richmond, for the Lehigh Avenue markets.

Referred to Committee on Finance.

Mr. Hilles

Presented a bill of Colton, Code & Co., for metres furnished the Borough of Frankford.

Which was referred to the Committee on Finance.

Mr. Copeland

Moved that Council now proceed to the consideration of the bill "Establishing the department of highways, bridges, sewers, and cleansing the City."

Which was declared out of order.

Mr. Hoppel

Offered the following resolution:

Resolved, That the Superintendent of Paving in the District of Kensington be, and is hereby, instructed to have the wall at the bridge crossing Gummer's Run, on Queen Street, built a sufficient height, so that the lives of pedestrians may not be put in jeopardy.

Which was twice read and agreed to.

Mr. Boswell

Offered the following resolution:

Resolved, That the Joint Special Committee appointed to confer with a Committee from the Fire Department, relative to the re-organization of that Department, be, and they are hereby, directed to report to Councils on or before the first stated meeting in August next.

Mr. Laws

Moved to amend, to strike out "first stated meeting in August," and insert "as early as convenient."

Mr. Griscom

Moved to postpone the further consideration thereof, for the present.

On this motion the yeas and nays were demanded by Messrs. Boswell and Laws.

And, being ordered, were as follows:

YEAS—Messrs. Berry, Bishop, Bumm, Boyle, Cowell,

Cresswell, Conrad, Dunk, Davenport, Dubree, Gibson, Giller, Grove, Griscom, Gillingham, Hacker, Hubbard, Hoppel, Hassinger, Laws, Larzalere, Mercer, Moran, Manuel, Magarge, Newell, O'Neill, Pomeroy, Painter, Preston, Roberts, Stuart, Scheetz, Stallman, Verree, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Binder, Butcher, Boswell, Cope-land, Dennis, Eastwick, Gratz, Hilles, Matthews, Norton, Rhoads, Smith.

Yeas 38 ; nays 13.

So the motion to postpone was agreed to.

Mr. Mercer

Moved to correct the Journal on page 159, in relation to resolution of Southwark Railroad, as the resolution was referred to the Joint Special Committee, and not to the Committee on Railroads.

Mr. Gibson

Offered the following resolution :

Resolved, That the Committee on Highways be instructed to inquire into the probable cost of repairing streets in the late District of Southwark, made necessary to be repaired by the laying of gas-pipes, in the said late District, by the Southwark and Moyamensing Gas Company.

Which was twice read and agreed to.

Mr. Mercer

Offered the following resolution :

Resolved, That in order to expedite the public business, no member shall be allowed to speak more than five minutes upon any one subject, and that this resolution shall remain in full force for three months.

Mr. Abbey

Moved to amend, by adding "without the unanimous consent of Council."

Mr. Painter

Moved to strike out the amendment.

Which was agreed to, and
The resolution as read was agreed to.

Mr. Butcher

Offered the following resolution:

Resolved, That the present Commissioner of City Property be authorized and directed to take charge of the West Philadelphia Hall, and to appoint a Superintendent to take charge of that Hall temporarily, if he should deem it necessary.

Which was twice read and agreed to.

Mr. Abbey

Moved to re-consider the vote by which the communication in relation to the Fire Alarm Telegraph was referred to the Committee on Trusts and Fire Department.

On this motion, the yeas and nays were demanded by Messrs. Moran and Dennis,

And, being ordered, were as follows:

YEAS—Messrs. Abbey, Bishop, Binder, Boswell, Conrad, Dunk, Davenport, Dennis, Dubree, Giller, Grove, Griscom, Gratz, Hilles, Laws, Larzalere, Mercer, Moran, Matthews, Manuel, Magarge, Norton, Painter, Randall, Stuart, Verree, Wagner.

NAYS—Messrs. Berry, Bumm, Boyle, Butcher, Copeland, Cowell, Cresswell, Gibson, Gillingham, Hubbard, Hoppel, Hassinger, Martien, Newell, Rhoads, Scheetz, Smith, Stallman, Wickersham, Diehl, *President*.

Yeas, 27; nays, 20.

So the motion to re-consider was agreed to.

Mr. Moran

Moved to refer the communication to the Committee on Police.

Mr. Cowell

Moved to amend to refer the same to the Committee on Trusts and Fire Department.

On this motion the yeas and nays were demanded by Messrs. Laws and Berry.

And, being ordered, were as follows:

YEAS—Messrs. Berry, Copeland, Cowell, Cresswell, Dunk, Davenport, Gibson, Grove, Gillingham, Gratz, Hubbard, Hoppel, Hassinger, Laws, Mercer, Martien, Magarge, Newell, Pomeroy, Rhoads, Roberts, Shuster, Smith, Stallman, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Bishop, Bumm, Boyle, Binder, Butcher, Boswell, Conrad, Dennis, Dubree, Eastwick, Giller, Griscom, Gay, Hilles, Larzalere, Moran, Matthews, Manuel, Norton, O'Neill, Painter, Preston, Randall, Stuart, Scheetz, Verree.

Yeas, 27; nays, 27.

So the amendment was not agreed to.

The question recurring to the original motion to refer to the Committee on Police,

It was agreed to.

Mr. Binder

Offered the following resolution:

Resolved, That the Committee on Railroads be, and they are hereby, directed to report an Ordinance at the next stated meeting, to prevent the running of locomotives into the City, at the speed, and under the regulations, they are now running.

Mr. Wagner

Moved to amend, to insert the words, "take into consideration the propriety and" between the words "to," and "report."

Mr. Gratz

Moved to amend the amendment, by striking out all after the word "meeting," and insert the following—"regulating the speed of the locomotives running in and through the populous parts of the City."

Mr. Boswell

Moved, the further consideration of the resolution be postponed.

Which was not agreed to.

Mr. Randall

Moved to amend, to strike out the words, "next stated meeting," and insert, "at their earliest convenience."

Which amendment was agreed to.

The question recurring on the resolution as amended, to wit:

Resolved, That the Committee on Railroads be and they are hereby directed to take into consideration the propriety and report an ordinance, at their earliest convenience, regulating the speed of the locomotives running in and through the populous parts of the City.

Which was agreed to.

Mr. Gillingham

Offered the following resolution:

Resolved, That in all demands for the ayes and nays in this Council, it shall require the call of at least ten members.

Which was declared out of order.

Mr. Randall,

On leave granted at this time,

Presented a communication from R. A. Parrish and George A. Maderia, asking the privilege to construct certain railways through the City.

Which was referred to the Committee on Railroads.

Mr. Boswell

Offered the following resolution:

Resolved, That the Watering Committee be and they are hereby directed to adopt such measures as will secure the early completion of the Water Works located in the Twenty-fourth Ward.

Mr. Wickersham

Moved to modify the resolution by striking out the words "completion of the" works located, and insert the following, "supply of."

Which modification was accepted.

Mr. Pomeroy

Moved to postpone the further consideration thereof.

Which was agreed to.

Mr. Verree offered the following resolution:

Resolved, That the Finance Committee be instructed to report an ordinance at the next meeting of Councils, to reduce the present rate of taxation twenty-five cents on the one hundred dollars on real and personal estate in the Townships of Oxford, Delaware, Lower Dublin, Byberry, Moreland, Bristol, Roxborough, and the Upper Ward of Germantown.

And moved its adoption.

Mr. Giller

Moved to amend, to lay the same on the table.

Which was agreed to.

Mr. Norton

Moved to withdraw the bills of Kensington from the Committee on Claims, with the exception of the bills for culverts and grading, and refer them to the Local Committees of the Sixteenth, Seventeenth, Eighteenth, Nineteenth, and Twentieth Wards.

Which was agreed to.

Mr. Moran,

On leave granted at this time,

Presented a petition from James Scott, of Seventeenth Ward, soliciting the appointment of Commissioner of Highways.

Which was read and laid on the table.

Mr. Wickersham

Moved to proceed to the consideration of the ordinance to provide for the issue of certificates of debts for the City of Philadelphia.

The first section being under consideration,

Mr. Wickersham

Moved to amend on fourth line, by inserting after the word funds, "by the Commissioners of the Sinking Fund of the County of Philadelphia."

Which amendment was agreed to.

The section as amended was agreed to.

Second section being under consideration,

Mr. Wickersham

Moved to amend on twentieth line, to insert between the words "debts" and "of," the words "of the County of Philadelphia and."

Which amendment was agreed to.

And the section as amended was agreed to.

The third section being under consideration,

Mr. Wagner

Moved to amend the section by inserting after the word "and" on eleventh line, the words "caused the," and after the word "seal" on twelfth line, the words "of the City of Philadelphia to be hereunto annexed."

Which amendment was agreed to,

And the section as amended was agreed to.

The fourth section was agreed to.

The fifth section being under consideration,

Mr. Wickersham

Moved to amend on the fifth line, after the word "London," "at the rate of \$5 per each £1 sterling, or in Paris at the rate of twenty-five francs to each \$5."

Which amendment was agreed to.

The section as amended was agreed to.

The sixth section was agreed to.

Mr. Wagner

Moved to amend, by inserting the following as a seventh section, to wit:

SECTION 7. The said Treasurer shall at all times have access to the City Seal for the purpose of affixing the same to the said certificate and transferable certificates.

Which amendment was agreed to.

The section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill was by special order read the third time and agreed to.

Select Council concurred.

Mr. Copeland

Moved to proceed to the consideration of an Ordinance entitled "An Ordinance establishing the Department of Highways, Bridges, Sewers, and cleansing of the City."

Which was agreed to.

The first section was agreed to.

The second section was agreed to.

The third section being under consideration,

Mr. Smith

Moved to strike out "two" in line two, and insert "one clerk."

Also, in line six, all after the word "Treasurer."

Which amendment was agreed to.

The section as amended was agreed to.

Section fourth being under consideration,

Mr. Giller

Moved to strike out all after the third line, and insert the following:

First District to consist of First and Second Wards.

Second District to consist of Third and Fourth Wards.

Third District to consist of Fifth, Seventh and Eighth Wards.

Fourth District to consist of Sixth, Ninth and Tenth Wards.

Fifth District to consist of Eleventh, Twelfth and Thirteenth Wards.

Sixth District to consist of Fourteenth and Fifteenth Wards.

Seventh District to consist of Sixteenth, Seventeenth, and Eighteenth Wards.

Eighth District to consist of Nineteenth Ward.

Ninth District to consist of Twentieth Ward.

Tenth District to consist of Twenty-first Ward.

Eleventh District to consist of Twenty-second Ward.

Twelfth District to consist of Twenty-third Ward.

Thirteenth District to consist of Twenty-fourth Ward.

Mr. Hacker

Moved an amendment to the amendment, that there be eight Commissioners of Highways.

Which he afterwards withdrew.

Mr. Newell

Moved to amend the amendment, that the Fifteenth Ward have one Commissioner of Highways.

Which was not agreed to.

On the amendment,

Mr. Norton

Called for a division of the question, to take up the Districts separately.

Which was agreed to.

The question on the First Division was agreed to.

The question on the Second Division was agreed to.
The question on the Third Division was agreed to.
The question on the Fourth Division was agreed to.
The question on the Fifth Division was agreed to.
The question on the Sixth Division was agreed to.
The question on the Seventh Division was agreed to.
The question on the Eighth Division was agreed to.
The question on the Ninth Division was agreed to.
The question on the Tenth Division was agreed to.
The question on the Eleventh Division was agreed to.
The question on the Twelfth Division was agreed to.
The question on the Thirteenth Division was agreed to.

Mr. Smith

Moved to amend in the second line—to strike out “Twelve” and insert “Thirteen.”

Which was agreed to.

Mr. Hacker

Offered an amendment to the amendment, that there shall be eight districts, as follows :

First District, to consist of First, Second and Third Wards.

Second District to consist of Fourth, Fifth and Sixth Wards.

Third District to consist of Seventh, Eighth, Ninth and Tenth Wards.

Fourth District to consist of Eleventh, Twelfth, Thirteenth and Fourteenth Wards.

Fifth District to consist of Fifteenth and Twentieth Wards.

Sixth District to consist of Sixteenth, Seventeenth, Eighteenth and Nineteenth Wards.

Seventh District to consist of Twenty-first, Twenty-second and Twenty-third Wards.

Eighth District to consist of Twenty-fourth Ward.

Which was declared out of order.

The question recurring on the section as amended,

The yeas and nays were demanded by Messrs. Randall and Smith.

Which were as follows:

YEAS—Messrs. Binder, Butcher, Copeland, Conrad, Giller, Gratz, Hubbard, Hilles, Lloyd, Larzalere, Moran, Matthews, Manuel, Norton, Newell, Roberts, Smith, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Berry, Bishop, Bumm, Boyle, Boswell, Cowell, Cresswell, Dunk, Davenport, Dennis, Dubree, Eastwick, Grove, Griscom, Gillingham, Gay, Hoffman, Hacker, Hoppel, Hassinger, Laws, Mercer, Martien, Marge, Painter, Randall, Stuart, Shuster, Stallman, Verree, Wickersham.

Yeas 19; nays 32.

So the section, as amended, was not agreed to.

Mr. Verree

Moved to amend by striking out all and insert the following:

SECT. 4. For the proper division of the duties of this department, there shall be Seven Districts, and a Commissioner of Highways shall be appointed to take charge of each District, as follows:

The First District to consist of the First, Second, Third and Fourth Wards—One.

The Second District to consist of the Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Wards—One.

The Third District to consist of the Thirteenth, Fourteenth, Fifteenth and Twentieth Wards—One.

The Fourth District to consist of the Eleventh, Twelfth, Sixteenth, Seventeenth, Eighteenth and Nineteenth Wards—One.

The Fifth District to consist of the Twenty-first and Twenty-second Wards—One.

The Sixth District to consist of the Twenty-third Ward—One.

The Seventh District to consist of the Twenty-fourth Ward—One.

Mr. Smith

Moved an amendment to the amendment, which was as follows :

SECT. 4. For the proper division of the duties of this department, there shall be Twelve Districts, and a Commissioner of Highways shall be appointed to take charge of each District, as follows :

The First District to consist of the First Ward.

The Second District to consist of the Second, Third and Fourth Wards.

The Third District to consist of the Fifth, Seventh and Eighth Wards.

The Fourth District to consist of the Sixth, Ninth and Tenth Wards.

The Fifth District to consist of the Eleventh, Twelfth, Thirteenth and Fourteenth Wards.

The Sixth District to consist of the Fifteenth and Twentieth Wards.

The Seventh District to consist of the Sixteenth, Seventeenth and Eighteenth Wards.

The Eighth District to consist of the Nineteenth Ward.

The Ninth District to consist of the Twenty-first Ward.

The Tenth District to consist of the Twenty-second Ward.

The Eleventh District to consist of the Twenty-third Ward.

The Twelfth District to consist of the Twenty-fourth Ward.

When the yeas and nays were demanded by Messrs. Hacker and Smith.

Which were as follows :

YEAS—Messrs. Binder, Butcher, Boswell, Copeland, Eastwick, Giller, Gillingham, Gratz, Hubbard, Hilles, Manuel, Magarge, Norton, Roberts, Stuart, Smith, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Berry, Bishop, Bumm, Boyle, Cowell, Cresswell, Conrad, Dunk, Davenport, Dennis, Dubree, Gibson, Grove, Griscom, Gay, Hoffman, Hacker, Hoppel, Hassinger, Laws, Lloyd, Iarzalere, Mercer, Martien, Matthews, Newell, Painter, Randall, Shuster, Stallman, Verree.

Yeas, 19; nays, 32.

So the amendment to the amendment was not agreed to.

Mr. Wickersham

Moved that the further consideration be postponed, so as the President may appoint a Committee of Conference in relation to the salary of the City Treasurer.

The President

Appointed Messrs. Wickersham, Dennis, and Gratz.

Mr. Hacker

Moved to amend the amendment, by inserting nine Districts :

The First District to consist of the First, Second, and Third Wards.

The Second District to consist of the Fourth, Fifth and Sixth Wards.

The Third District to consist of the Seventh, Eighth, Ninth, and Tenth Wards.

The Fourth District to consist of the Eleventh, Twelfth, Thirteenth, and Fourteenth Wards.

The Fifth District to consist of the Fifteenth and Twentieth Wards.

The Sixth District to consist of the Sixteenth, Seventeenth, and Eighteenth Wards.

The Seventh District, to consist of the Nineteenth and Twenty-third Wards.

The Eighth District to consist of the Twenty-first and Twenty-second Wards.

The Ninth District to consist of the Twenty-fourth Ward.

Mr. Verree

Accepted the amendment.

Mr. Martien

Moved that Council take a recess for fifteen minutes.

Which was agreed to.

Mr. Wickersham

Moved the further consideration of the Ordinance be postponed, to hear the report of the Committee of Conference.

Which was agreed to.

The Committee of Conference on the difference between the Select and Common Councils, relative to the amendment of the bill in relation to the City Treasurer, beg leave to report that they have agreed to recommend to Councils that the salary should be \$3,500.

M. S. WICKERSHAM, *Chairman.*

EDWARD GRATZ,

WM. H. DENNIS.

Which report was accepted.

The question recurring on the amendment of Mr. Verree.

It was not agreed to.

Mr. Newell

Moved that the further consideration of the bill be postponed.

Which was not agreed to.

Mr. Dennis

Moved to amend by substituting a new section, as follows:

That there be six Commissioners of Highways appointed, who shall act under the direction of the head of the department.

Mr. Wagner

Moved to amend the amendment that there shall be ten Commissioners of Highways, who shall be distributed as follows, to-wit:

The First District to consist of the First Ward.

The Second District to consist of the Second, Third, Fourth, Fifth, and Sixth Wards.

The Third District to consist of the Seventh, Eighth, Ninth, and Tenth Wards.

The Fourth District to consist of the Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth Wards.

The Fifth District to consist of the Sixteenth, Seventeenth, Eighteenth, and Nineteenth Wards.

The Sixth District to consist of the Twentieth Ward.

The Seventh District to consist of the Twenty-first Ward.

The Eighth District to consist of the Twenty-second Ward.

The Ninth District to consist of the Twenty-third Ward.

The Tenth District to consist of the Twenty-fourth Ward.

Which was not agreed to.

Mr. Gillingham

Moved to amend by inserting "eight" in lieu of "six."

Which was not agreed to.

Mr. Newell

Moved to amend by striking out "six" and insert "eleven."

Which was not agreed to.

Mr. Smith

Moved to adjourn,

Which was not agreed to.

The question recurring on the amendment to substitute six Commissioners,

The yeas and nays were demanded by Messrs. Smith and Hilles,

Which were as follows:

YEAS—Messrs. Berry, Bishop, Bumm, Cowell, Cresswell, Conrad, Dunk, Davenport, Dennis, Dubree, Eastwick, Gibson, Griscom, Gillingham, Gay, Hoffman, Hacker, Hubbard, Hoppel, Hassinger, Laws, Lloyd, Mercer, Moran, Martien, Matthews, Newell, Painter, Randall, Shuster, Verree and Wickersham.

NAYS—Messrs. Binder, Boswell, Copeland, Giller, Gratz, Hilles, Larzalere, Manuel, Magarge, Norton, Roberts, Smith, Wagner and Diehl, *President*.

Yeas 32; nays 14.

So the amendment was agreed to.

The fifth section being under consideration,

Mr. Laws

Moved to amend by striking out the section, and insert the following:

SECTION 5. There shall be the following Supervisors of Streets and Roads, to wit:

| | | | | | | |
|---------------------|---|---|---|---|---|---|
| In the First Ward, | - | - | - | - | - | 3 |
| In the Second Ward, | - | - | - | - | - | 1 |
| In the Third Ward | - | - | - | - | - | 1 |
| In the Fourth Ward, | - | - | - | - | - | 1 |
| In the Fifth Ward, | - | - | - | - | - | 1 |
| In the Sixth Ward, | - | - | - | - | - | 1 |

| | |
|--------------------------------------|---|
| In the Seventh Ward, - - - - - | 1 |
| In the Eighth Ward, - - - - - | 1 |
| In the Ninth Ward, - - - - - | 1 |
| In the Tenth Ward, - - - - - | 1 |
| In the Eleventh Ward, - - - - - | 1 |
| In the Twelfth Ward, - - - - - | 1 |
| In the Thirteenth Ward, - - - - - | 1 |
| In the Fourteenth Ward, - - - - - | 1 |
| In the Fifteenth Ward, - - - - - | 1 |
| In the Sixteenth Ward, - - - - - | 1 |
| In the Seventeenth Ward, - - - - - | 1 |
| In the Eighteenth Ward, - - - - - | 1 |
| In the Nineteenth Ward, - - - - - | 2 |
| In the Twentieth Ward, - - - - - | 2 |
| In the Twenty-first Ward, - - - - - | 3 |
| In the Twenty-second Ward, - - - - - | 3 |
| In the Twenty-third Ward, - - - - - | 5 |
| In the Twenty-fourth Ward, - - - - - | 4 |

Mr. Smith

Moved a division of the section.

The First Division was agreed to.

The Second Division was agreed to.

The Third Division was agreed to.

The Fourth Division was agreed to.

The Fifth Division was agreed to.

The Sixth Division was agreed to.

The Seventh Division was agreed to.

The Eighth Division was agreed to.

The Ninth Division was agreed to.

The Tenth Division was agreed to.

The Eleventh Division was agreed to.

The Twelfth Division was agreed to.

The Thirteenth Division was agreed to.

The Fourteenth Division was agreed to.

The Fifteenth Division being under consideration,

Mr. Newell

Moved to substitute "two" instead of "one."

Which was agreed to.

Message from Select Council

Informing this Council that they insist on their amendment in relation to the salary of the Receiver of Taxes, and appointed a Committee of Conference,

Messrs. Cornman, Keyser and Sandgram.

Mr. Wickersham

Moved to postpone the consideration of the bill in order that the President may appoint a Committee of Conference.

Which was agreed to.

The President appointed

Messrs. Haeker, Hoppel and Cowell.

The Sixteenth Division was agreed to.

The Seventeenth Division was agreed to.

The Eighteenth Division was agreed to.

The Nineteenth Division being under consideration,

Mr. Giller

Moved to amend, to strike out "two" and insert "one."

Which was not agreed to.

So the division as reported was agreed to.

The Twentieth Division being under consideration,

Mr. Gratz

Moved to strike out "two" and insert "four."

Mr. Martien

Moved to amend the amendment, by striking out "four" and insert "three."

When the yeas and nays were demanded by Messrs. Randall and Laws,

Which were as follows :

YEAS—Messrs. Binder, Copeland, Cowell, Cresswell, Eastwick, Grove, Gillingham, Gratz, Hacker, Hilles, Has-singer, Lloyd, Martien, Matthews, Manuel, Magarge, Newell, Smith, Wickersham, Wagner, Diehl, *President*—21.

NAYS—Messrs. Bishop, Bumm, Boswell, Dennis, Dubree, Giller, Griseom, Gay, Hoffman, Hubbard, Hoppel, Laws, Moran, Norton, Painter, Randall, Roberts, Shuster, Verree—19

Yeas 21 ; nays 19.

So the amendment was agreed to.

The Twenty-first Division was agreed to.

The Twenty-second Division being under consideration,

Mr. Smith

Moved to strike out "three" and insert "four."

Which was not agreed to.

The division as reported was agreed to.

The Twenty-third Division being under consideration,

Mr. Giller

Moved to strike out "five" and insert "four."

Mr. Painter

Moved to amend, to strike out "five" and insert "three."

Mr. Randall

Moved to amend the amendment, by striking out "three" and insert "four."

So the division as amended was agreed to.

The Twenty-fourth Division being under consideration,

Mr. Giller

Moved to strike out "four" and insert "three."

Mr. Painter

Moved to amend the amendment, by striking out "three" and insert "two."

Which was withdrawn.

The amendment was not agreed to.

The Twenty-fourth Division as reported was agreed to.

Message from Select Council,

Informing this Council that they had concurred in the resolution relating to taking up hogs, by inserting after Kensington "Southwark."

Mr. Hacker

Moved to postpone the further consideration of the ordinance to hear the report of Committee of Conference on the salary of the Receiver of Taxes.

The Committee of Conference upon the difference between Select and Common Councils relative to the salary of the Receiver of Taxes, beg leave to report that they have unanimously agreed upon \$2,500 and recommend its adoption.

W. P. HACKER,
A. F. HOPPEL,
JOS. M. COWELL.

Which report was adopted.

The fifth section as amended was agreed to.

Mr. Painter

Moved a re-consideration of the vote on the nineteenth division.

Which was not agreed to.

Section sixth being under consideration,

Mr. Verree

Moved to adjourn.

Which was agreed to.

Adjourned.

THURSDAY, July 27th, 1854.

Council met—Present,

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Binder,
Bumm,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Conrad,
Corlies,
Crispin,
Dunk,
Davenport,
Dennis,
Dougherty,
Dubree,
Eastwick,
Gibson,
Giller,
Gray,
Griscom,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Hoffman,

Messrs. Harper,
Hubbard,
Hoppel,
Hilles,
Hassinger,
Laws,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Powell,
Painter,
Preston,
Read,
Rhoads,
Roberts,
Stewart,
Scheetz,
Shuster,
Smith,
Stallman
Taylor,
Verree,
Watt,
Wickersham,
Diehl, *President.*

Mr. Verree

Moved that the reading of the Journal of the previous meeting be dispensed with.

Mr. Newell

Moved to amend to have the Journal read.

Which was agreed to.

And, while being read,

Mr. Painter,

Moved that the further reading be discontinued.

Mr. Moran

Moved to amend to have the whole of the Journal read.

Which was agreed to.

Journal approved.

Mr. Giller

Presented a communication from several citizens recommending John H. Etris, of the Fourth Ward for a situation in the department of Water.

Which was read and laid on the table.

Mr. Gibson

Presented a communication from William Kelly, Superintendent of Schuylkill Water in Moyamensing, in reference to the laying of water pipes in Washington Street, between Broad and Thirteenth Streets, and Aaron Street, between Fitzwater and Catharine and Broad and Thirteenth Streets.

Which was referred to Committee on Water Works.

Mr. Laws

Presented a communication from several citizens recommending James K. Thomas, of the Fourteenth Ward, for Commissioner of Highways.

Which was laid on the table.

Mr. Hilles

Presented a petition from a number of citizens of the

late Borough of Frankford, asking that Gas Lamps may be placed in the Frankford Road between the boundaries of the late District of Richmond and the Borough of Frankford.

Which was referred to the Committee on Gas Works.

Mr. Butcher

Presented a communication from a number of citizens of the Twenty-fourth Ward, recommending John Mowrer for Supervisor of said Ward.

Which was laid on the table.

Mr. Gibson

Presented a communication from Wm. Harper, calling the attention of Councils to the state of the gutters on Pas-syunk Road, between Christian Street and Marriot's Lane.

Which was referred to the Committee on Highways.

Mr. Martien

Presented a petition from Richard Stokes, soliciting the appointment of Supervisor of the Tenth Ward.

Which was laid on the table.

Mr. Binder

Presented a communication from John L. Kucker and J. Knight, informing Councils that they had formed a company under the name of the Philadelphia Glue and Bone Boiling Company, for the purpose of boiling bones, dead animals, &c., and asking Councils to recommend their establishment to the public.

Which was referred to the Committee on Health.

Mr. Gratz

Presented a communication from J. H. Purdy and W. J. Philips submitting proposals for erecting a Fire Alarm and a Police Telegraph.

Which was laid on the table.

Mr. Gratz

Presented a petition from a number of citizens of the Twentieth Ward, complaining of the annoyances arising from goats running at large in said Ward.

Which was referred to the Committee on Police.

Mr. Gratz

Presented a communication from Benjamin Edgar, one of the watchmen of the late District of Southwark, asking to be allowed the sum of \$18.75, being the amount paid by him for a substitute during sickness in June last, occasioned by exposure while on duty.

Which was referred to the Committee on Police.

Mr. Giller

Presented a communication from Charles Keen, of the Thirteenth Ward, soliciting the appointment of Collector of Market rents of High Street Market.

Which was laid on the table.

Mr. Stallman

Presented a communication from a number of citizens of the Twenty-second Ward, recommending Jesse Lightfoot for surveyor of said Ward.

Which was referred to the Committee on Surveys.

Mr. Martien

Presented a petition from property owners, citizens and residents on the line of the Market, Third, and Dock Street Railroad, asking that the same may be removed forthwith, as it has become an intolerable nuisance.

Which was referred to the Committee on Highways.

Mr. Moran

Presented a communication from Benjamin F. Pidgeon, of the Second Ward, soliciting the appointment of Superintendent of Jefferson Square.

Which was referred to the Committee on City Property.

The President

Laid before Councils a communication from citizens of the Twenty-fourth Ward, recommending Rudolph Sheets for Superintendent of the Commissioners' Hall in said Ward.

Which was laid on the table.

Also,

Laid before Councils the following resolution adopted at a meeting of the Board of Guardians of the Poor, held on the 24th instant, to wit:

Resolved, That the President and Treasurer constitute a Committee to present to the Select and Common Councils of the City of Philadelphia, their inability, from the new order of affairs, to meet any of the current expenses of the Philadelphia Almshouse, and request their immediate attention to granting this Board an appropriation.

Accompanied with a communication asking for an appropriation of \$99,290, to pay and satisfy the current expenses of the House.

FREDERICK M. ADAMS, *President*.

TOWNSEND SMITH, *Treasurer*.

Attest: S. SNYDER LEIDY, *Secretary*.

Which was referred to the Committee on Finance.

Also,

Laid before Councils a communication from R. J. Hemphill, Secretary of the Board of Control of Public Schools, asking for an appropriation for the principal of a ground rent on a lot on Lombard and Sixth Streets; to the repairing and enlarging the school house on Lombard Street.

Which was referred to the Committee on Public Schools.

Also,

Laid before Councils a communication from Benjamin Franklin, of the First Ward, soliciting the appointment of Commissioner of Highways.

Which was laid on the table.

Also,

A communication from George Fithian, late tax collector from South Mulberry Ward, asking to be refunded \$114.21, the amount overpaid by him as Collector of said Ward.

Which was referred to the Committee on Finance.

Also,

A communication from a number of citizens, recommending F. W. Binder for Committing Magistrate of Fifteenth Ward.

Which was laid on the table.

Mr. Copeland

Presented a communication from Howell & Brother, asking permission to construct a culvert in Sixth Street from the present culvert at George Street, northwardly to the corner of Chestnut Street.

Mr. Copeland

Moved that it be referred to the Committee on Highways, with power to act.

Mr. Griscom

Moved to amend by striking out the words with power to act.

Which was agreed to.

The motion as amended was agreed to.

Mr. Griscom

Presented a communication from Wynkoop & Woods, in reference to the erection of a Fire Alarm and Police Telegraph.

Which was referred to the Committee on Police.

Mr. Larzalere

Presented a communication from John Bechtel, of the Fourteenth Ward, soliciting the appointment of Supervisor of one of the Wards.

Which was laid on the table.

Mr. Matthews

Presented a petition from property holders and residents of Francis Street, in the late District of Spring Garden, complaining of the inconvenience they suffer in consequence of the inadequate supply of water in said street, and asking their earliest attention to the subject.

Which was referred to the Committee on Water Works.

Mr. Green

Presented a bill from Joseph Vaughan, Superintendent of Police of the late District of Kensington, and others, for killing and burying 85 dogs, from the 17th to the 21st of July, inclusive, \$85.00.

Which was referred to the Committee on Police.

Mr. Painter

Presented two bills, one from Wm. A. Banes for construction of culvert on Coral Street, amounting to \$1736.60½; and one from George Kelly for construction of culvert on York Street, amounting to \$1356.80.

Which were referred to the Committee on Claims.

Mr. Hilles

Presented a communication from John M. Coleman, County Treasurer, certifying that Peter Slaughter, Collector of County Tax of 1853, in the borough of Frankford, has overpaid his county duplicate in settlement, to the amount of \$55.64, and the same is now due to him.

Which was referred to the Committee on Finance.

Mr. Wickersham

Chairman of the Committee on Finance, submitted a report accompanied with ordinance, (*Appendix No. 45.*)

“A supplement to an Ordinance approved July 18th, 1854, entitled ‘An Ordinance to levy and fix the rates of Taxes for the year 1854.’”

Mr. Wickersham

Moved that Councils proceed to the consideration of the bill.

Which was agreed to.

The first section was agreed to.

The title was agreed to,

And the bill was ordered to be prepared for a third reading.

The bill by special order was read the third time, and agreed to.

Mr. Wickersham

Chairman of the Committee on Finance, submitted a report, accompanied with an ordinance, (*Appendix No. 46.*)

“A supplement to an ordinance approved July 14th, 1854, entitled ‘An Ordinance to make an appropriation for the payment of certain Claims for Labor.’”

Mr. Wickersham

Moved that Councils now proceed to the consideration of the bill.

Which was agreed to.

The first section was agreed to.

The title was agreed to,

And the bill was ordered to be prepared for a third reading.

The bill by special order was read the third time and agreed to.

Select Council concurred.

Mr. Wickersham

Chairman of the Committee on Finance, made a report, accompanied with an ordinance, (*Appendix No. 47.*)

“An Ordinance referring to the various departments of the City Government.”

Mr. Wickersham

Moved that Council now proceed to the consideration of the bill.

The first section being under consideration,

Mr. Newell

Moved that the reading of the bill be suspended, that the ordinance may be printed for the use of the members.

Which was not agreed to.

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The fourth section was agreed to.

The fifth section was agreed to.

The sixth section was agreed to.

The seventh section was agreed to.

The eighth section was agreed to.

The ninth section was agreed to.

The tenth section was agreed to.

The eleventh section being under consideration,

Mr. Smith

Moved to amend in the second line by striking out "2" and insert "2½."

Mr. Dennis

Moved further to amend by inserting "3."

Which was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill by special order was read the third time and agreed to.

Message from Select Council

Informing this Council that they have concurred in the Police Bill, with sundry amendments.

Mr. Newell offered the following resolution:

Resolved, That the Clerk be requested to furnish the Appendix to the Journal of Common Council with the Journal.

Which was twice read and agreed to.

Mr. Mercer offered the following resolution:

Resolved, That in consideration of the large amount of public business to be attended to before the City is in good working order and thoroughly organized, that this Council

meet, until further notice, on the afternoons of Monday, Wednesday and Friday, at 3 o'clock.

Which was twice read.

And on the question of its adoption, the ayes and nays were demanded by Messrs. Cowell and Newell, which being ordered were as follows :

AYES—Messrs. Abbey, Austin, Bishop, Balch; Butcher, Conrad, Corlies, Crispin, Davenport, Dubree, Griscom, Gratz, Graeff, Hubbard, Hoppel, Hassinger, Mercer, Moran, Matthews, O'Neill, Painter, Rhoads, Roberts, Stuart, Scheetz, Smith, Taylor, Wickersham, Diehl, *President*.

NAYS—Messrs. Andress, Berry, Bumm, Binder, Boswell, Copeland, Cowell, Cresswell, Dunk, Dennis, Dougherty, Eastwick, Gibson, Giller, Gay, Green, Houseman, Hoffman, Harper, Hilles, Laws, Larzalere, Martien, Manuel, Magarge, Norton, Newell, Powell, Preston, Shuster, Stallman.

Ayes 29 ; nays 31.

Which was not agreed to.

Mr. Crispin

Moved, that when we adjourn, we adjourn to meet again on Monday next at 3 o'clock.

Mr. Martien

Moved to amend, to strike out "Monday" and insert "Tuesday."

The amendment was not agreed to.

Mr. Balch

Moved further to amend, by striking out "3 o'clock" and inserting "11 o'clock."

Mr. Cowell

Moved, that the further consideration of the subject be postponed.

Which was agreed to.

Mr. Houseman offered the following resolution :

Resolved, That the Committee on Highways be directed

to inquire into and report to Council the authority for paving now in progress in the late District of Southwark, and if found being done under contract, what amount of said work is yet to be completed, the amount paid on said account, or if scrip has been issued, what amount, and when issued, and if interest has been drawn on said scrip, if issued in advance.

Which being twice read was agreed to.

Select Council concurred.

The President

Laid before Councils the following communication from the Mayor:

MAYOR'S OFFICE,
Philadelphia, July 27, 1854. }

To the President of the Common Council.

SIR:—I have this day approved and signed the following ordinances:

“An ordinance entitled ‘An Ordinance prescribing the powers and duties of the City Treasurer.’”

“An ordinance entitled ‘An Ordinance prescribing the powers and duties of the Receiver of Taxes.’”

R. T. CONRAD,
Mayor.

Mr. Laws

Presented a preamble (*Appendix No. 48*), accompanied with the following resolution:

Resolved, That the City Commissioners, City Treasurer and Receiver of Taxes, being the County Board of Revision, be instructed to report to Councils what proportion the assessed value of property in the City, and each of the several districts, boroughs and townships now comprising the City of Philadelphia, bear to the real or actual value of the same, so that measures may be taken to obtain an equal standard of assessments throughout the City.

Which preamble and resolution was agreed to.

Select Council concurred.

Mr. Griscom offered the following resolution :

Resolved, That hereafter it shall be the duty of the Clerks to see that each member shall be furnished at stated meeting of Councils with a full file of all bills and resolutions which shall have been ordered by either branch of Councils to be printed.

Which was twice read and agreed to.

Mr. Newell

Moved that we now proceed to the consideration of the ordinance to establish and organize the department of City Property.

Mr. Copeland

Moved to amend, to proceed to the consideration of the ordinance establishing the Department of Highways, Bridges, Sewers, and cleansing of the City.

Which amendment was agreed to.

Mr. Wickersham

Moved to postpone the consideration of the same for the purpose of presenting a communication from John Lindsay, City Treasurer.

Which was agreed to.

Mr. Wickersham

Presented a communication from John Lindsay, City Treasurer, submitting the names of Robert Steen and Elijah Jones as his sureties, and asking the approval of the same.

Mr. Painter

Moved that the communication be referred to the City Solicitor in conjunction with the Committee of Finance.

Mr. Demis

Moved to amend, to refer it to the Solicitor, and if found to be correct, approved.

Mr. Norton

Moved further to amend, to refer it to the City Solicitor with power to act.

The amendment to the amendment was not agreed to.

The amendment was agreed to.

The question recurring on the resolution as amended was agreed to.

Mr. O'Neill

Moved that the further consideration of the bill establishing the Department of Highways, Bridges, Sewers and Cleansing of the City, for the purpose of presenting two communications.

Which was agreed to.

Mr. O'Neill

Presented a petition from a number of citizens of the Nineteenth Ward, praying that a bridge may be erected at Cumberland Street, over Gunner's Run, and to cause the pavement of said Cumberland Street to be continued to Richmond Street.

Which was referred to the Committee on Highways.

Also,

Presented a claim of Hugh Lamon, against the late District of Kensington, for the sum of \$100 and costs.

Which was referred to the Committee on Finance.

The Bill establishing the Department of Highways, Bridges, Sewers, and Cleansing of the City, being under consideration.

The sixth section being under consideration,

Mr. Laws

Moved to amend by striking out the words "for the District," in the second line, and adding "s" to the word "Commissioner" in the first line.

Which was agreed to.

The sixth section as amended was agreed to.

Section seventh being under consideration,

Mr. Martien

Moved to amend by striking out the word "proper" in the first line, and adding "s" to the word "Commissioner" in the second line.

Which was agreed to.

Mr. Binder

Moved further to amend by adding, at the end of the section the following:

"They shall issue permits for laying materials in the streets for buildings, and pay over weekly to the Treasurer all monies received by them for that purpose."

Which was not agreed to.

Mr. Martien

Moved further to amend to strike out the word "respective" in the fifth line.

Which was not agreed to.

The section as amended was agreed to.

Section eighth being under consideration,

Mr. Martien

Moved to amend by striking out the word "proper," in the first line, and inserting the word "Chief" in lieu thereof.

Which was not agreed to.

Mr. Hassinger

Moved to amend by adding the letter "s" to "Commissioner" in the fourth line.

Which was agreed to.

Mr. Smith

Moved to re-consider the vote by which Commissioner was made Commissioners in the fourth line.

Which was not agreed to.

Mr. Norton

Moved to amend by striking out in the fifth line the words "to this end he shall."

Which was agreed to.

Section ninth being under consideration,

Mr. Newell

Moved to amend by striking out the word "proper" in the first line, and adding "s" to the word "Commissioner" in the second line.

Which was agreed to.

Section as amended was agreed to.

Section tenth was agreed to.

Section eleventh was agreed to.

Mr. Smith

Moved to re-consider the vote by which the tenth section was adopted.

Which was agreed to.

Mr. Smith

Moved an amendment to the tenth section that the Supervisors be required to give security to the amount of \$500.

Mr. Norton

Moved an amendment to the amendment, "and that the sureties required by this Ordinance be submitted to the Select and Common Councils for approval."

Which was agreed to.

The amendment was agreed to.

The section as amended was agreed to.

Section twelfth was agreed to.

Section thirteenth was agreed to.

Section fourteenth was agreed to.

Section fifteenth was agreed to.

Section sixteenth was agreed to.

Section seventeenth being under consideration,

Mr. Smith

Moved to amend by striking out in the fourth line the words "and the estimated rental of City property."

Which was agreed to.

Mr. Stuart

Moved further to amend by striking out the word "said" in the first line, and insert in lieu thereof the word "Chief."

Which was agreed to.

The section as amended was agreed to.

Section eighteenth was agreed to.

Section nineteenth being under consideration,

Mr. Martien

Moved a division of the salaries.

Which was agreed to.

The first division, the Chief Commissioner of Highways, being under consideration,

Mr. Newell

Moved to amend by striking out, in the third line, "\$1,600" and inserting "\$1,500."

Mr. Cresswell

Moved further to amend by inserting "\$1,200."

On this question the ayes and nays were demanded by Messrs. Cresswell and Eastwick,

And, being ordered, were as follows:

YEAS—Messrs. Austin, Balch, Boswell, Cresswell, Conrad, Corlies Dougherty, Dubree, Gray, Green, Hoppel, Hassinger, Laws, Larzalere, Matthews, O'Neill, Powell, Roberts, Scheetz, Shuster, Stallman, Taylor and Verree.

NAYS—Messrs. Abbey, Andress, Berry, Bishop, Bumm, Binder, Butcher, Copeland, Cowell, Dunk, Davenport, Eastwick, Gibson, Giller, Griscom, Gay, Gratz, Graeff, Houseman, Hoffman, Hubbard, Hilles, Mercer, Martien, Manuel, Margarge, Norton, Newell, Painter, Preston, Read, Rhoads, Stuart, Smith, Wickersham and Diehl, *President*.

Yeas, 23 ; nays, 35.

The amendment to the amendment was not agreed to.

The amendment was agreed to.

The question as amended was agreed to.

The second division, Commissioners of Highways, being under consideration,

Mr. Newell

Moved to amend by striking out "\$1,000" and inserting "1,200."

Which was not agreed to.

Question on the division.

Which was agreed to.

The third division, Supervisors, being under consideration,

Mr. Larzalere

Moved to amend, to strike out "\$600" and insert "\$700."

Mr. Giller

Moved further to amend, by inserting "\$750."

The amendment was accepted.

Mr. Andress

Moved further to amend, by inserting "\$1000."

Which was not agreed to.

Mr. Mercer

Moved further to amend, by inserting "\$800."

On this question the yeas and nays were demanded by Messrs. Smith and Andress,

Which were as follows:

YEAS—Messrs. Andress, Austin, Berry, Bishop, Bumm, Copeland, Dunk, Dubree, Eastwick, Giller, Gray, Green, Hoppel, Mercer, Moran, Norton, Powell, Painter, Rhoads, Stuart, Smith, Taylor, Diehl, *President*.

NAYS—Messrs. Abbey, Balch, Binder, Butcher, Boswell, Cowell, Cresswell, Conrad, Corlies, Davenport, Dougherty, Gibson, Gay, Gratz, Graeff, Houseman, Hoffman, Hubbard, Hilles, Hassinger, Laws, Larzalere, Martien, Matthews, Manuel, Magarge, Newell, O'Neill, Read, Roberts, Scheetz, Shuster, Stallman, Verree, Wickersham.

Yeas 23; nays 35.

Which was not agreed to.

The amendment of \$750, was agreed to.

The fourth division, License Clerk, being under consideration,

Mr. Bumm

Moved to amend by striking out "\$1200" and insert "\$1000."

The amendment was not agreed to.

The division was agreed to.

The fifth division being under consideration,

It was not agreed to.

The sixth division was agreed to.

The seventh division, Messenger, being under consideration,

Mr. Smith

Moved to amend by striking out "\$500" and insert in lieu thereof "\$600."

Which was not agreed to.

The division was agreed to.

The eighth division was agreed to.

Mr. Copeland

Offered the following as a section of the bill :

SECTION 20. The Chief Commissioner of Highways shall from time to time direct the City Solicitor to institute proceeding agreeably to the 9th section of the Act of Assembly of 24th March, 1832, entitled "An Act to enable the Mayor, Aldermen and Citizens of Philadelphia, to carry into effect certain improvements, and to execute certain trusts," for the purpose of ascertaining the damages sustained by the owners of property situate in Water Street between Vine and South Streets, by the laying out of said Water Street anew, as established by an Ordinance of the Select and Common Councils of the Corporation of the Mayor, Aldermen and Citizens of Philadelphia, passed July 26th, 1832.

Which was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill by special order was read the third time and agreed to.

Mr. Gratz

Moved that Councils now proceed to the consideration of the amendments from Select Council to the Police bill.
Select Council

Informs this Council that they have had under consideration the bill entitled "An Ordinance organizing the Police Department of the City of Philadelphia."

Which they have concurred in, with amendments, as follows :

Strike out the first section and adopt the following :

SECTION 1. The Select and Common Councils of the City of Philadelphia do ordain, That for purposes of Police each Ward shall be a separate Police District. Provided, that the said Districts may be altered and changed as the public service may require, at the discretion of the Mayor.

Common Council concurred.

SECT. 2. Add after the word "Mayor" in the first line, the words "by and with the consent of the Committee on Police," and add at the end of the section thereof, the words "by and with the advice and consent of Select Council."

Common Council concurred.

SECT. 3. Strike out the word "first" in the second line, and add at the end thereof, the words "subject to the approval of Councils."

Mr. Abbey

Moved to amend, to strike out "two sergeants" and insert "one."

Which was not agreed to.

Common Council concurred in the section as reported.

SECT. 4. Strike out all after the word "force," and insert the words as follows: "And watchmen of the City of Philadelphia, exclusive of officers, shall be 820 men, and they shall be distributed among the respective police districts as the Mayor shall from time to time direct."

Mr. Painter

Moved to amend by striking out "820 men" and insert "600 men."

On the amendment

The yeas and nays were demanded by Messrs. Painter and Dougherty,

Which were as follows:

YEAS—Messrs. Conrad, Dougherty, Dubree, Hubbard, Hilles, Hassinger, Laws, Larzalere, Norton, Powell, Painter, Read, Roberts and Shuster.

NAYS—Messrs. Abbey, Andress, Berry, Bishop, Balch, Bumm, Boswell, Copeland, Cowell, Cresswell, Dunk, Davenport, Eastwick, Gibson, Giller, Gratz, Graeff, Houseman, Hoffman, Hoppel, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Newell, Rhoads, Stuart, Smith, Wickersham and Diehl, *President*.

Yeas 14; nays 32.

Which was not agreed to.

The question recurring on the section

Common Council concurred.

SECT. 5. Insert after the word "appoint" in the second line, the words "out of the number of Police," and insert after the word "Mayor's" in the third line, the words "or Marshal's," and add after the word "office" in the third line, the words "as the Mayor may direct."

Common Council concurred.

Have stricken out the sixth and seventh sections.

Common Council concurred.

SECT. 9, (now 7th.) After the word "each" in second line, insert "Ward," and insert after the word "the" the words "first and" and add after the word "have" in third line, the word "each" and strike out all after the word "Magistrates."

Common Council concurred.

SECT. 10, (now 8th,) stricken out and adopted the following:

"It shall be the duty of the Police Magistrates, under the direction of the Mayor, to attend at their respective station houses daily, for the purpose of hearing and disposing of the prisoners there detained."

Common Council concurred.

Also,

That they have adopted two new sections, sections tenth and eleventh.

SECT. 10. The annual salary of officers in this department, shall be as follows, payable monthly:

| | | | | | | |
|---------------------|---|---|---|---|---|-------|
| Sergeants, each, | - | - | - | - | - | \$600 |
| Policemen, - | - | - | - | - | - | 500 |
| Turnkeys, - | - | - | - | - | - | 450 |
| High Constables, | - | - | - | - | - | 700 |
| Special Officers, | - | - | - | - | - | 600 |
| Messengers, | - | - | - | - | - | 500 |
| Police Magistrates, | - | - | - | - | - | 500 |

Common Council concurred.

SECT. 11. That should any Police Officer, or Officers, receive any gift or reward for any police duty performed by him, or them, or should any member of the police engage in any other business whatsoever, he or they shall, upon due proof thereof, be at once discharged from the service; and any officer so offending shall not be eligible for re-appointment for one year thereafter.

Common Council concurred.

Mr. Newell

Moved that Council now proceed to the consideration of the Ordinance establishing the department of City Property.

Which was agreed to.

Mr. Graeff

Moved to adjourn.

Which was not agreed to.

Mr. Moran

Moved to re-consider the vote on the eleventh section of the Police Bill.

Which was not agreed to.

The first section of the bill being under consideration,

Mr. Norton

Moved to amend by adding, in the second line, after the word thereafter, "at their first meeting."

Which was agreed to.

Mr. Norton

Also moved to amend in the fifth line—to strike out after the word "chosen" and insert "and duly qualified."

Mr. Berry

Moved to adjourn to Friday afternoon, at 3 o'clock.

Which was agreed to.

Adjourned.

FRIDAY, July 28th, 1854.

Council met pursuant to adjournment—Present

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Graeff, |
| Address, | Hacker, |
| Austin, | Hubbard, |
| Berry, | Hoppel, |
| Bishop, | Hassinger, |
| Bumm, | Lloyd, |
| Butcher, | Larzalere, |
| Boswell, | Mercer, |
| Copeland, | Martien, |
| Cowell, | Matthews, |
| Cresswell, | Manuel, |
| Conrad, | Norton, |
| Corlies, | Newell, |
| Dunk, | O'Neill, |
| Dennis, | Painter, |
| Dougherty, | Preston, |
| Dubree, | Stuart, |
| Eastwick, | Smith, |
| Gibson, | Stallman, |
| Gray, | Watt, |
| Griscom, | Wickersham, |
| Gay, | Diehl, <i>President.</i> |
| Gratz, | |

The President

Informed Council that he had appointed the following Committee of Visitation for Girard College, for the following months, to wit:

STANDING COMMITTEES ON GIRARD COLLEGE.

For July—Messrs. Eastwick, *Chairman*, Dunk, Pomeroy, Gillingham, O'Neill, Graeff.

August—Messrs. Verree, *Chairman*, Abbey, Wagner, Painter, Green, Stallman.

September — Messrs. Randall, *Chairman*, Binder, Newell, Hacker, Balch, Berry.

October—Messrs. Hoffinan, Mercer, Lloyd, Conrad, Bumm, Smith.

November—Messrs. Norton, *Chairman*, Hoppel, Rhoads, Laws, Cowell, Moran.

December—Messrs. Giller, Bishop, Andress, Hubbard, Taylor, Magarge.

January—Messrs. Butcher, *Chairman*, Harper, Larzarella, Manuel, Martien, Davenport.

February—Messrs. Boswell, Gay, Matthews, Horn, Read, Gibson.

March—Messrs. Griscom, *Chairman*, Dennis, Gray, Cresswell, Shuster, Hassinger.

April—Messrs. Gratz, Hilles, Parham, Copeland, Stuart, Houseman.

May—Messrs. Grove, *Chairman*, Watt, Powell, Preston, Wickersham, Crispin.

Mr. Wickersham

Chairman of the Committee on Finance, submitted a report, (*Appendix No. 49*,) accompanied with the following resolution:

Resolved, That the Select and Common Councils do approve of Robert Steen and Elijah Jones as sureties for John Lindsay, City Treasurer.

Which was read twice and agreed to.

Select Council concurred.

Also,

A report, (*Appendix No. 50*) accompanied with the following communication and resolution:

PHILADELPHIA, July 28, 1854.

To the Select and Common Council:

Gentlemen—I offer as my securities, as Receiver of Taxes, Paul Thurlow and Joseph P. Hughes, merchants, No. 11 North Fifth Street.

JOHN M. COLEMAN.

Resolved, That the Select and Common Councils do approve of Paul Thurlow and Joseph P. Hughes as sureties for John M. Coleman, Receiver of Taxes.

Which was read twice.

Mr. Dennis

Moved to amend to re-commit the resolution.

Mr. Wickersham

Moved to amend the amendment to postpone the further consideration thereof.

The amendment to the amendment was not agreed to.

The question being on the amendment to re-commit,

The yeas and nays were demanded by Messrs. Dennis and Newell.

And, being ordered, were as follows:

YEAS—Messrs. Andress, Austin, Bumm, Butcher, Boswell, Cresswell, Dennis, Dougherty, Eastwick, Griscom, Gay, Hubbard, Hoppel, Hassinger, Mercer, Martien, Norton, Newell.

NAYS—Messrs. Abbey, Berry, Bishop, Copeland, Conrad, Dunk, Dubree, Gibson, Gray, Gratz, Graeff, Hacker, Larzalere, Matthews, Manuel, O'Neill, Preston, Stuart, Smith, Stallman, Wickersham, Diehl, *President*.

Yeas, 18; nays, 22.

So the amendment was not agreed to.

The question recurring on the original resolution,

The yeas and nays were demanded by Messrs. Dennis and Dougherty.

And, being ordered, were as follows:

YEAS—Messrs. Abbey, Berry, Bumm, Butcher, Copeland, Conrad, Dunk, Dubree, Eastwick, Gibson, Gray, Gratz, Graeff, Hacker, Hoppel, Larzalere, Martien, Matthews, Manuel, O'Neill, Preston, Stuart, Smith, Stallman, Wickersham, Diehl, *President*.

NAYS—Messrs. Andress, Austin, Bishop, Boswell, Cresswell, Corlies, Dennis, Dougherty, Griscom, Gay, Hassinger, Mercer, Norton, Newell.

Yeas, 26; nays, 14.

So the resolution was agreed to.

Select Council concurred.

Message from the Mayor,

With the following communication:

To the President of Common Council:

SIR—I have approved and signed the following supplement to an Ordinance, viz: “A supplement to an Ordinance, approved July 14th, 1854, entitled ‘An Ordinance to make appropriation for certain claims for labor.’”

R. T. CONRAD, *Mayor*.

MAYOR’S OFFICE, *Philadelphia, July 28th, 1854.*

Also,

To the President of Common Council:

SIR—I have approved and signed the following Ordinance, viz:

“An Ordinance organizing the Police Department of the City of Philadelphia.”

R. T. CONRAD, *Mayor*.

Council then resumed the consideration of the Ordinance establishing the department of City Property.

Section first being under consideration as amended,

It was agreed to, and

The section as amended was agreed to.

The second section being under consideration,

Mr. Copeland

Moved to amend to strike out “twenty,” in third line, and insert “ten.”

Which amendment was agreed to, and

The section as amended was agreed to.

The third section being under consideration,

Mr. Wickersham

Moved to strike out the words “and the tolls upon the City Railroad,” on the third and fourth lines.

Mr. Gratz

Moved to amend the amendment by striking out the words “including therein the tobacco warehouse.”

Which amendment to the amendment was not agreed to.
The amendment was agreed to.

Mr. Address

Moved to further amend the section by inserting, after the word "therein," on the third line, the words "revenue from."

Which amendment was agreed to, and
The section as amended was agreed to.

The fourth section being under consideration,

Mr. Norton

Moved to amend by striking out, after "he shall," on the first line, the word "furnish," and insert the words "prepare and keep."

Which amendment was agreed to.

Also,

To strike out on the fifth line the word "and" and insert the word "wherein."

Which amendment was agreed to, and
The section as amended was agreed to.

The fifth section being under consideration,

Mr. Hassinger

Moved to amend by striking out all on the seventh and eighth lines, to-wit: the words,

Seventh line—"Collector of Tolls on City Railroad."

Eighth line—"Collector of Revenue of Tobacco Warehouse."

Which amendment was agreed to.

Mr. O'Neill

Moved a division of the section.

Which was agreed to.

And moved to amend by striking out, in the fourteenth line, the words "four watchmen for the bridge at Market Street."

Which was agreed to.

Mr. Martien

Moved to amend by striking out, on the sixteenth line, "three watchmen for steeple on Independence Hall."

Which was also agreed to.

Mr. Wickersham

Moved to amend, by striking out in the third line the words "with the consent of the committee," and add on sixth line, after the word rental, "and revenue of tobacco warehouse."

On this amendment the yeas and nays were demanded by Messrs. Wickersham and Smith.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Bishop, Copeland, Cresswell, Conrad, Dunk, Dennis, Eastwick, Graeff, Hacker, Hassinger, Larzalere, Mercer, Norton, O'Neill, Painter, Preston, Stuart, Smith, Stallman, Wickersham, Diehl, *President*.

NAYS—Messrs. Andress, Austin, Berry, Butcher, Boswell, Cowell, Corlies, Dougherty, Dubree, Gibson, Gray, Griscom, Gay, Gratz, Hoppel, Lloyd, Martien, Matthews, Manuel, Newell.

Yeas 22 ; nays 20.

So the amendment was agreed to.

Mr. Andress

Moved to amend, by striking out in the eleventh line, the words "City Carpenter."

On this amendment the yeas and nays were demanded by Messrs. Smith and Andress.

And being ordered were as follows :

YEAS—Messrs. Andress, Austin, Berry, Cresswell, Conrad, Corlies, Dunk, Dougherty, Dubree, Gibson, Gray, Griscom, Gay, Hoppel, Hassinger, Larzalere, Mercer, Matthews, Manuel Painter, Stallman.

NAYS—Messrs. Abbey, Bishop, Bumm, Butcher, Boswell, Copeland, Cowell, Dennis, Eastwick, Gratz, Graeff,

Hacker, Lloyd, Martien, Norton, Newell, O'Neill, Preston, Stuart, Smith, Diehl, *President*.

Yeas 21 ; nays 21.

So the amendment was not agreed to.

And the section as amended was agreed to.

Message from Select Council.

Section six being under consideration,

Mr. Martien

Moved to strike out all of said section, and insert the following:

SECTION 6. The Collector of the City Rental shall, under the direction of the head of the department, and as his agent, collect the rents due to the Corporation, and all monies receivable for the inspection and storage of tobacco, and shall have the oversight and superintendence of the construction, repair and improvement of the real estate, including tobacco warehouse.

Which was agreed to.

Mr. Newell

Moved to further amend, by adding the words "subject to the approval of the Committee on City Property."

On this amendment the yeas and nays were demanded by Messrs. Norton and Hassinger.

And being ordered, were as follows:

YEAS—Messrs. Abbey, Austin, Berry, Bishop, Bumm, Butcher, Boswell, Copeland, Cowell, Cresswell, Conrad, Corlies, Dunk, Dennis, Dubree, Eastwick, Gibson, Gay, Graeff, Hoppel, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Newell, O'Neill, Smith, Stallman.

NAYS—Messrs. Dougherty, Griscom, Gratz, Hacker, Hassinger, Norton, Painter, Stuart, Diehl, *President*.

Yeas 30 ; nays 9.

So the amendment was agreed to.

Mr. Norton

Moved to amend by inserting after the word "rental"

“and revenue of Tobacco Warehouse,” and after the word “Committee” the following: “He shall make return under oath or affirmation and pay to the head of this Department all monies received by him. He shall also give security to the Corporation of the City of Philadelphia, to be approved by Councils, in the sum of \$5000.”

Which amendment was agreed to.

The section as amended was agreed to.

The seventh section was not agreed to.

The eighth section was not agreed to.

The ninth section being under consideration,

Mr. Griscom

Moved to add after the words City Property, “Provided, That said Public Squares and Parks shall be kept open every day of the year, from half-past four o’clock A. M., until ten o’clock P. M., from the first day of April until the first day of November; and from half-past six o’clock A. M. until 8 o’clock, P. M., from the first day of November until the first day of April.

Which amendment was agreed to.

The section as amended was agreed to.

The tenth section being under consideration,

Mr. Dennis

Moved to amend, to insert the words “and superintend the Tobacco Warehouse,” in second line.

Which was not agreed to.

The section as read was agreed to.

The eleventh section was not agreed to.

The twelfth section was agreed to.

The thirteenth section being under consideration,

Mr. Martien

Moved to amend, by striking out the first, second, third and fourth lines.

Which was agreed to.

The section as amended was agreed to.

Message from Select Council.

The fourteenth section was agreed to.

The fifteenth section was agreed to.

The sixteenth section was agreed to.

The seventeenth section was agreed to.

The eighteenth section was agreed to.

The nineteenth section being under consideration,

Mr. Hassinger

Moved to amend by striking out all in the fifth, seventh, twelfth and thirteenth lines.

Which was agreed to.

Mr. Andress

Moved to amend, by striking out "\$500" salary of Superintendent of City Burial Ground, and insert "\$600."

On this amendment the yeas and nays were demanded by Messrs. Andrews and Hassinger,

And being ordered were as follows :

YEAS—Messrs. Andress, Berry, Butcher, Copeland, Cowell, Dunk, Dubree, Gibson, Graeff, Hacker, Larzalere, Martien, Norton, Newell and Diehl, *President*.

NAYS—Messrs. Abbey, Austin, Bishop, Boswell, Cresswell, Conrad, Corlies, Dennis, Dougherty, Eastwick, Griscom, Gay, Gratz, Hassinger, Lloyd, Mercer, Matthews, Mauuel, O'Neill, Stuart, Stallman and Verrec.

Yeas 15 ; nays 22.

So the amendment was not agreed to.

Mr. Larzalere

Moved to amend in tenth line, by striking out "\$500" and insert "\$600."

Mr. Dennis

Moved to amend the amendment, by striking out "\$600" and insert "400."

Which amendment to the amendment was not agreed to.

Mr. Boswell

Moved to amend the amendment, by adding after the words "Spring Garden Hall" and "West Philadelphia Hall."

Which amendment to the amendment was declared out of order.

The question being on the amendment, \$600.

The amendment was not agreed to.

Mr. Dennis

Moved to amend, by adding after the word "Hall," "so long as his services may be needed."

On this amendment the yeas and nays were demanded by Messrs. Dennis and Berry,

And being ordered, were as follows:

YEAS—Messrs. Abbey, Andress, Austin, Berry, Bishop, Butcher, Boswell, Cowell, Cresswell, Conrad, Dunk, Dennis, Dougherty, Dubree, Eastwick, Gibson, Griscom, Gay, Gratz, Graeff, Hacker, Hassinger, Lloyd, Mercer, Martien, Norton, O'Neill, Stuart, Stallman, Verree, Wickersham and Diehl,
President.

NAYS—Messrs. Copeland, Corlies, Larzalere, Matthews, Manuel, Newell and Painter.

Yeas 32; nays 7.

So the amendment was agreed to.

Mr. Eastwick

Moved to amend in the ninth line, by striking out "\$700" and inserting "\$500."

Mr. Gibson

Moved to amend the amendment, by striking out "\$500" and inserting "\$600."

The motion was not agreed to.

The question recurring on the amendment,

The yeas and nays were demanded by Messrs. Eastwick and Verree,

And being ordered were as follows ;

YEAS—Messrs. Address, Austin, Bishop, Butcher, Boswell, Copeland, Cresswell, Conrad, Corlies, Dennis, Dougherty, Dubree, Eastwick, Gay, Graeff, Hassinger, Lloyd, Larzalere, Martien, Matthews, Manuel, Stallman, Verree, Wickersham.

NAYS—Messrs. Abbey, Berry, Cowell, Dunk, Gibson, Griscom, Gratz, Hacker, Mercer, Norton, Newell, Painter, Stuart, Diehl, *President*.

Yeas 24; nays 14.

So the amendment was agreed to.

Mr. Martien

Moved to amend in the fourth line, by adding after the word "Rental" "and Revenue of the Tobacco Warehouse."

Which amendment was agreed to.

Mr. Dennis

Moved to amend in the eleventh line, after the word "Squares," "Provided that the four Squares at Broad and Market Streets, be considered as one Square."

Which was also agreed to.

The section as amended was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was by special order read the third time and agreed to.

Message from Select Council

Informing this Council that they had passed an ordinance entitled "An Ordinance establishing the Law Department of the City of Philadelphia," and ask concurrence.

The report was ordered to be read.

Mr. Dennis

Moved that we now take a recess of ten minutes.

The motion was not agreed to.

Mr. Hacker

Moved to adjourn.

Which was not agreed to.

Mr. O'Neill

Moved to suspend the reading of the report and ordinance, and asked leave to present a petition.

Which was agreed to.

He then presented a petition from citizens of the late District of Kensington, praying Councils to adopt measures to have the two large squares laid out by J. P. Norris, Esq., and others, for public use, permanently improved, by having the same fenced and planted with trees and shrubbery.

Which was referred to the Committee on City Property.

Mr. Stallman

Moved a further suspension of the reading thereof, and asked leave to present a petition.

Which was agreed to.

He then presented a petition from citizens and residents of Twenty-second Ward, in favor of and recommending Jesse Lightfoot for the office of Surveyor of the District.

Which was laid on the table.

The Clerk proceeded with the reading of the report and ordinance, and

The ordinance being under consideration,

The first section was agreed to.

The second section was agreed to.

The third section being under consideration,

Mr. Norton

Moved to amend the first line, by striking out the word "draft" and insert the word "prepare."

Which was agreed to.

Mr. Dougherty

Moved to amend in the twenty-first line, after the word "or" "as Attorney-at-Law in all actions or suits in which he shall appear as Attorney for the City of Philadelphia."

Which amendment was agreed to.

And the section as amended was agreed to.

The fourth section was agreed to.

The fifth section was agreed to.

The sixth section was agreed to.

The seventh section being under consideration,

Mr. Dougherty

Moved to amend, to strike out "Fifteen hundred" in second and third lines, and insert "Two thousand."

On this motion the yeas and nays were demanded by Messrs. Wickersham and Norton.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Austin, Bishop, Butcher, Cowell, Dunk, Dougherty, Eastwick, Griscom, Gratz, Hacker, Lloyd, Larzalere, Mercer, Martien, Norton, O'Neill, Painter, Stuart, Verree, Wickersham, Diehl, *President*.

NAYS—Messrs. Andress, Berry, Boswell, Cresswell, Conrad, Corlies, Dennis, Dubree, Gibson, Gay, Houseman, Hassinger, Matthews, Newell, Stallman.

Yeas 22 ; nays 15.

So the amendment was agreed to.

A message from Select Council

Informing this Council that they had adopted a resolution that when they adjourn, it will be to meet again on Monday afternoon at 3 o'clock.

Common Council concurred.

Select Council concurred in the resolution referring to the Special Committee, to inquire what right the Southwark Railroad Company have to run Locomotives on Washington Street.

Mr. Eastwick

Moved a call of the House.

Which was agreed to.

The Clerk called the roll, and 37 members answered to their names.

Which were as follows :

AYES—Messrs. Abbey, Address, Austin, Berry, Bishop, Butcher, Boswell, Cowell, Cresswell, Conrad, Corlies, Dunk, Dennis, Dougherty, Dubree, Eastwick, Gibson, Griseom, Gay, Gratz, Houseman, Hacker, Hassinger, Lloyd, Larzallere, Mercer, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Stuart, Stallman, Verree, Wickersham and Diehl,
President.

The Chairman ordered the doors closed, and then discovered that Mr. Painter had not answered to his name.

Mr. Painter being called and a quorum being present,

Mr. Hassinger

Moved to take a recess of fifteen minutes.

The motion was agreed to.

Council re-organized,

No quorum present.

Mr. Eastwick

Moved to adjourn,

Which was agreed to.

Adjourned until Monday 3 o'clock, P. M.

MONDAY, July 31st, 1854.

Council met pursuant to adjournment—Present,

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Hubbard, |
| Andress, | Hoppel, |
| Austin, | Hilles, |
| Berry, | Hassinger, |
| Bishop, | Lloyd, |
| Baleh, | Larzalère, |
| Bunn, | Mercer, |
| Butcher, | Moran, |
| Boswell, | Martien, |
| Copeland, | Matthews, |
| Cowell, | Manuel, |
| Cresswell, | Magarge, |
| Conrad, | Norton, |
| Corlies, | Newell, |
| Crispin, | O'Neill, |
| Dennis, | Pomeroy, |
| Dougherty, | Parham, |
| Dubree, | Painter, |
| Gibson, | Preston, |
| Grove, | Read, |
| Gray, | Rhoads, |
| Griscom, | Stuart, |
| Gillingham, | Shuster, |
| Gray, | Smith, |
| Green, | Stallman, |
| Gratz, | Verree, |
| Houseman, | Wickersham, |
| Horn, | Diehl, <i>President.</i> |
| Hacker, | |

The President

Informed Council that they would now proceed with the

consideration of the Ordinance establishing the Law Department of the City of Philadelphia.

It being on the seventh section,

Mr. Painter

Moved to suspend the further consideration thereof to enable him to present a petition.

Which was not agreed to.

Mr. Norton

Moved to amend on the third line of said section, by striking out, after the words "second assistant" and "clerk," the words "one thousand," and insert "twelve hundred each."

On this motion the yeas and nays were demanded by Messrs. Norton and Newell.

And being ordered, were as follows:

YEAS—Messrs. Abbey, Berry, Bishop, Balch, Copeland, Dougherty, Gray, Gillingham, Gratz, Houseman, Hacker, Hoppel, Mercer, Moran, Martien, Magarge, Norton, Newell, Pomeroy, Parham, Painter, Preston, Rhoads, Stuart, Smith, Diehl, *President*.

NAYS—Messrs. Austin, Butcher, Boswell, Cresswell, Conrad, Corlies, Crispin, Dennis, Dubree, Gibson, Gay, Green, Horn, Hubbard, Hilles, Hassinger, Larzalere, Matthews, Manuel, Stallman, Verree.

Yeas, 26; nays, 21.

So the amendment was agreed to.

Mr. Stuart

Moved to amend by striking out, in the fourth line, the words "six hundred," and insert "eight hundred."

Which amendment was agreed to.

Mr. Norton

Moved to amend further, by adding at the end thereof "Provided, That the salaries of the City Solicitor and First

Assistant Solicitor, shall be computed from the 12th day of June, A. D. 1854.”

Which amendment was agreed to, and

The section as amended was adopted.

The eighth section being under consideration,

Mr. Boswell

Moved to amend, on the second line, by striking out “four” and inserting “five.”

Mr. Balch

Moved to amend the amendment by striking out “four” and insert “three.”

Which amendment to the amendment was not agreed to.

The question then being on the amendment,

It was agreed to, and

The section as amended was agreed to, and

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was then by special order read a third time and agreed to.

Select Council

Informs this Council that they have adopted the following resolutions, and ask concurrence :

Resolved, That so much of the report of the Committee on Plans, as relates to the office of the City Commissioners, be referred to the Committee of Law.

Common Council concurred.

Also,

Resolved, That the Committee to prepare the second story of the State House for the meetings of Councils, be instructed to make arrangements for furnishing said rooms until the alterations are completed.

Mr. Smith

Moved to amend to strike out all after the word "resolved," and insert the following:

"That the committee be directed to proceed with all possible dispatch to complete the rooms for Councils at the State House and furnish the same."

Which amendment was agreed to.

The resolution as amended was agreed to.

So Common Council non-concurred.

Also,

Resolved, That the Controller be and he is hereby required to scrutinize and audit the accounts of the various townships or districts and other municipal corporations of the City of Philadelphia up to the date the same ceased to exist as such, and report to Councils the result of such investigation.

Common Council concurred.

Also,

An ordinance, entitled a Supplement to an Ordinance, approved July 18th, 1854, entitled "An Ordinance to Levy and Fix the Rate of Taxes for the year eighteen hundred and fifty-four," with amendments.

Common Council non-concurred in the amendments.

Also,

An ordinance organizing the department for supplying the City with water,

And ask concurrence.

Mr. Smith

Moved that Council resolve itself into committee of the whole, for the purpose of considering the same.

Which was agreed to.

Mr. Norton in the Chair.

After some time the committee rose and reported the bill with sundry amendments.

Mr. Newell

Moved to take a recess of fifteen minutes.

Which was agreed to.

Council re-organized.

Mr. Wickersham (Chairman of the Committee on Finance)

Moved to suspend the further consideration of the bill to allow him an opportunity of submitting a report of the committee and accompanying ordinance (*Appendix No. 51*), entitled "An Ordinance making an Appropriation to the Guardians of the Poor."

Which was agreed to.

Council proceeded to the reading and consideration of bill, when

The first section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

The bill having been so prepared

It was by special order read the third time,

And agreed to.

The same gentleman

Moved a further suspension, to offer the following resolution.

Which was agreed to.

Resolved, That the treasurers of the districts, townships and the various parties having funds, books or papers in their possession belonging to the various districts and townships now included within the City of Philadelphia, be and they are hereby directed to transfer the same to the City Treasurer without delay.

Which was read twice and agreed to.

Mr. Painter

Moved to further postpone the consideration thereof, to afford himself and the gentleman from Twenty-second Ward an opportunity of offering each a petition.

Which was not agreed to.

The bill organizing the Water Department was read a second time.

The first section being under consideration,

Mr. Norton

Moved to amend, by inserting after the word "thereafter," in the second line, the words, "at their first meeting."

Which amendment was agreed to.

The section as amended was agreed to.

The second section was agreed to.

The third section was agreed to.

The fourth section was agreed to.

The fifth section was agreed to.

The sixth section was agreed to.

The seventh section was agreed to.

The eighth section was agreed to.

The ninth section being under consideration,

Mr. Norton

Moved to amend, to insert in third line after the word "return," the words, "in writing, under oath or affirmation."

Which was agreed to.

Mr. Wagner

Moved to amend, to add on the fourth line, "with two or more securities, to be approved by Councils."

Mr. Wagner

Moved also to amend, by adding, "Provided that all assessments of water rent in manufacturing and other establishments where larger quantities are used, shall be made by the Register in conjunction and with the advice and consent of the Chief Engineer.

Which was also agreed to.

And the section as amended was agreed to.

The tenth section was agreed to.

The eleventh section was agreed to.

The twelfth section was agreed to.

The thirteenth section was agreed to.

The fourteenth section was agreed to.

The fifteenth section was agreed to.

The sixteenth section being under consideration,

Mr. O'Neill

Moved to amend, by adding after the words "house-rent" on sixth line, "not exceeding \$100."

Mr. Griscom

Moved to amend the amendment, to strike out the "\$100" and "house-rent," and insert use of a dwelling."

Mr. O'Neill

Withdrew his amendment.

Mr. Norton

Moved to amend the amendment, by striking out the amendment, and insert "a dwelling rent free."

Which was agreed to.

And the section as amended was agreed to.

The seventeenth section was agreed to.

The eighteenth section was agreed to.

Messrs Norton and Larzalere

Moved a re-consideration of the twelfth section.

Which was agreed to.

Mr. Norton

Moved to amend, to strike out in first line the word "such," and insert "all."

Which was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

The bill having been so prepared,

It was by special order read the third time and agreed to.

Message from Select Council

Informing this Council that they have passed the following resolution, and ask concurrence :

Resolved, That the proper officer in the late District of Kensington, be directed forthwith, to take up all hogs found running at large in the District, and dispose of them according to law.

Common Council non-concurred.

Also,

A bill entitled an ordinance to establish a market in the Twenty-second Ward,

Which was read, when

Mr. Newell

Moved to defer the further consideration of the ordinance for the present.

Which was agreed to, and referred to the Committee on Markets.

Mr. Gratz

Asked leave to submit a Supplement to an Ordinance approved July 28th, 1854, organizing the Police Department.

Which was read and referred to the Committee on Police.

Select Council

Inform this Council that they have passed the following resolution :

Resolved, That the Solicitor of the City be, and he is hereby directed to institute the necessary legal proceedings for the suppression or discontinuance of all establishments used as receptacles for dead animals, or for bone boiling, where the same are contrary to any law of this Commonwealth.

Common Council concurred.

The President

Presented a communication from Thomas Birch, Jr., soliciting the appointment of Chief Commissioner of Highways.

Which was laid on the table.

Also,

A communication from Joseph Herriges, soliciting the appointment of Inspector of Tobacco.

Which was laid on the table.

Mr. Painter, on leave granted

Presented a communication from citizens of the 16th and 17th Wards, relating to having the sheds removed at the intersection of Second, Franklin and Cadwallader Streets.

Which was referred to Committee on Railroads.

Mr. Hoppell offered the following resolution :

Resolved, That the Committee on Railroads be, and they are hereby instructed to inquire by what authority the

North Pennsylvania Railroad Company have commenced the demolition of the markets at Second and Franklin Avenue.

The resolution being under consideration,

Mr. Painter

Moved to adjourn to Tuesday afternoon, at 3 o'clock.

On motion,

Adjourned.

TUESDAY, August 1st, 1854.

Counsel met pursuant to adjournment-

The Clerk called the roll, when 35 members answered to their names.

PRESENT.

Messrs. Address,
Austin,
Berry,
Bishop,
Balch,
Boyle,
Butcher,
Boswell,
Cresswell,
Corlies,
Crispin,
Dennis,
Dougherty,
Dubree,
Gibson,
Green,
Gratz,
Graeff,

Messrs. Hacker,
Hoppel,
Hassinger,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Norton,
Newell,
O'Neill,
Pomeroy,
Painter,
Rhoads,
Stuart,
Smith,
Wagner,
Diehl, *President.*

ABSENT.

Messrs. Abbey,
Bumm,
Binder,
Copeland,
Cowell,
Conrad,
Dunk,

Messrs. Hubbard,
Hilles,
Laws,
Lloyd,
Larzalere,
Magarge,
Powell,

| | |
|--------------------|-----------------|
| Messrs. Davenport, | Messrs. Parham, |
| Eastwick, | Preston, |
| Giller, | Read, |
| Grove, | Randall, |
| Gray, | Roberts, |
| Griscom, | Scheetz, |
| Gillingham, | Shuster, |
| Gay, | Stallman, |
| Houseman, | Taylor, |
| Hoffman, | Verree, |
| Harper, | Watt, |
| Horn, | Wickersham. |

There being no quorum present,

Mr. Dennis

Moved to adjourn, when

The yeas and nays were demanded by Messrs. Gibson and Pomeroy,

Which were as follows :

YEAS—Messrs. Balch, Butcher, Boswell, Cresswell, Corlies, Crispin, Dennis, Dougherty, Dubree, Graeff, Painter, Stuart.

NAYS—Messrs. Andress, Austin, Berry, Bishop, Boyle, Gibson, Green, Gratz, Hacker, Hoppel, Hassinger, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Pomeroy, Rhoads, Smith, Wagner Diehl, *President*.

Yeas 12; nays 24.

Mr. Moran appeared and answered to his name.

At 4 o'clock,

Mr. Boswell

Moved that Council now adjourn to Thursday afternoon at 3 o'clock.

Which was agreed to.

Adjourned.

THURSDAY, August 3, 1854.

Council met—Present,

Messrs. Abbey,
Address,
Austin,
Berry,
Bishop,
Balch,
Bumm,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Conrad,
Corlies,
Crispin,
Dunk,
Dennis,
Dubree,
Eastwick,
Gibson,
Giller,
Grove,
Gillingham,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Horn,
Hacker,

Messrs. Hubbard,
Hoppel,
Hilles,
Hassinger,
Laws,
Lloyd,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Pomeroy,
Painter,
Preston,
Read,
Randall,
Rhoads,
Stuart,
Schetz,
Shuster,
Stallman,
Verree,
Wickersham,
Dichl, *President*.

The Clerk proceeded with the reading of the Journal, when

Mr. Gillingham

Moved to dispense with the further reading thereof.

Which was agreed to.

Mr. Copeland

Presented a petition from owners of lots of ground bounding on Kearsley and Dobbin Streets, and Delancy Place running from Eighteenth to Nineteenth Streets, and duly dedicated to public use, praying the same may be forthwith regulated, graded, curbed and paved, and that the carriage-way shall be 17 feet, and the foot-ways each 16 feet 6 inches, and that the water and gas pipes be laid down in the said Delancy Place.

Which was referred to the Committee on Highways.

Mr. Bishop

Presented a communication from Albert Benton, Esq., notifying Council of his intention to make application to the Port Wardens for the privilege of building a wharf on the southern boundary of his property.

Which was referred to the Committee on Port Wardens and Public Landings.

Mr. Manual

Presented a communication from Messrs. Adam Hinckle and Rowland Hill Brown, calling the attention of Councils to the mouth of the culvert situated on Franklin, south of Willow Street, requesting that the mouth of the same may be removed to Willow Street.

Which was referred to the Committee on Highways.

Mr. Wagner

Presented a petition from sundry citizens, residents and owners of property on Thirteenth Street between Stiles and Oxford, in Twentieth Ward, asking to have gas pipes laid in said street.

Which was referred to Committee on Gas Works.

Mr. Gibson

Presented a petition from property holders on Austin Street, running from Wharton to Reed Streets, praying to have the water pipes laid in said street.

Which was referred to the Committee on Water Works.

Mr. Hoppell

Presented a bill from Henry Einwechter and Brothers, (certified by the Surveyor of the late District of Kensington,) for the completion of a culvert on York Street.

Which was referred to the Committee on Claims.

Mr. Green

Presented a (certified) bill from Messrs. Miller and Rice, for the completion of a culvert on the Frankford Road.

Which was referred to the Committee on Finance.

Mr. Norton

Presented a petition from Robert Darragh, of Third Ward, soliciting the appointment of Supervisor of Highways.

Which was laid on the table.

Mr. Norton

Presented a bill from "Gloria Dei Church" Southwark, for ground rent, due July 1st, 1854, amounting to \$44.67; and moved to refer the same to the Committee on Finance.

Mr. Wickersham

Moved to amend, to refer to the Committee on City Property.

Which amendment was not agreed to.

The question on the original motion was agreed to.

Mr. Martien

Presented a petition from, and recommendation of citizens of Tenth Ward, in favor of Samuel Kiker, for the appointment of Supervisor of Streets.

Which was laid on the table.

Mr. Graeff

Presented a petition from the Citizens of the Twenty-first Ward, respectfully requesting the appointment of Olverson L. Ramsdell for the office of Committing Magistrate of said ward.

Which was laid on the table.

Mr. Martien

Presented a communication from Adjutant Thos. P. Parry, of the Artillery Regiment, asking to be refunded the sum of \$37.50, expended for music on the occasion of the visit of President Pierce, in July, 1853.

Which was referred to the Committee on Claims.

The President

Laid before Council a communication from George Sturges, of Second Ward, soliciting the appointment to office as Chief Commissioner of Highways.

Which was laid on the table.

Also,

A communication from the Board of Health, accompanied by the following resolution:

Resolved, That the President of this Board be directed to ask the City Councils for an appropriation of \$6000, for the past current expenses of the Board.

Extract from the minutes.

SAMUEL P. MARKS, *Clerk*,

To WILSON JEWELL, M.D.

President of the Board of Health.

Which were referred to the Committee on Health.

Also,

A petition from Adam H. Shoemaker, asking to be elected Police Magistrate of the Sixteenth Ward.

Which was laid on the table.

Also,

A communication from citizens, recommending William H. Warren as a suitable person for the appointment of Register, or Inspector of Gas Metres.

Which was also laid on the table.

Also,

The following communication from John N. Henderson, City Controller :

PHILADELPHIA, August 1st, 1854.

To the Common Council of Philadelphia:

Gentlemen:—At a meeting of Councils, held on July 27th, 1854, an appropriation was made, amounting to \$1,000, to pay the salaries of the Officers of the Civil Courts. It becomes my duty, in accordance with the twelfth section of an act entitled “An Act to Incorporate the City of Philadelphia,” to inform your honorable body that the said appropriation is nearly exhausted. I have countersigned warrants amounting to \$971.68, leaving a balance on the appropriation of \$28.32. The amounts for the several Courts are as follows:

| | | |
|-----------------|-----------|----------|
| District Court, | - - - - - | \$597 00 |
| Common Pleas, | - - - - - | 208 00 |
| Supreme Court, | - - . - - | 583 31 |
| | | <hr/> |
| | | 1,388 31 |
| Appropriation, | - - - - - | 1,000 00 |
| | | <hr/> |
| Deficit, | - - - - - | 388 31 |

The appropriations made by Councils for the Criminal Courts will not be sufficient to meet the expenses of the same.

The requisitions from this Department are as follows :

| | | |
|------------------------------|-----------|----------|
| Grand Jurors, | - - - - - | \$438 00 |
| Officers' Salaries for June, | - - - - - | 624 00 |
| Interpreter, | - - - - - | 48 00 |

| | | | | | |
|------------------------------|---|---|---|-------|----|
| Officers' Salaries for July, | - | - | - | 624 | 00 |
| Petit Jurors, June Term, | - | - | - | 338 | 87 |
| | | | | <hr/> | |
| | | | | 2,072 | 87 |
| Appropriation, | - | - | - | 1,800 | 00 |
| | | | | <hr/> | |
| Deficit, - | - | - | - | 272 | 87 |

I have countersigned warrants amounting to \$1,448.87, and have withheld any and all warrants drawn for salaries of officers of Quarter Sessions, for the month of July. If, therefore, Councils wish the salaries paid, they will supply the sum deficit of \$272.87.

Yours respectfully,

JNO. N. HENDERSON,
Controller.

Which was laid on the table.

Also,

A communication from Clayton L. Wilson, Clerk of Franklin Street Markets, in relation to certain sheds at the end of said markets, being an obstruction in the way of laying a tract by the North Pennsylvania Railroad Company.

Which was referred to the Committee on Railroads.

Also,

A communication from Israel N. Bell, Esq., tendering his resignation as Superintendent of Highways in the late District of Kensington,

Which was laid on the table.

Also,

A communication from owners and tenants of property in the vicinity of Turner Street, running east of South Fourth Street, between Catharine and Queen Streets, late District of Southwark, calling the attention of Councils to the almost unpassable condition of said Street, and to its offensiveness to health, caused by the constant accumulations of stagnant water therein.

Which was referred to the Committee on Highways.

Also,

A bill from the Amphion Band, John Bayley leader, for services of said Band on July 4th, 1854—amount, \$95.

Which was referred to the Committee on Claims.

Also,

A petition from, and recommendation of, citizens of the Sixth Ward, in favor of Ambrose Harkins, of said Ward, for the appointment of Commissioner of Highways.

Which was referred to the Committee on Highways.

Also,

A petition from owners of property on Ogden Street, between Carlisle and Fifteenth Streets, asking that said Street may be paved as soon as practicable.

Which was referred to the Committee on Highways:

Also,

A petition from owners of property on Ogden Street, between Carlisle and Fifteenth Streets, asking that the water pipes may be laid along said Street, as soon as practicable.

Which was referred to the Committee on Water Works.

Also,

A partial report from Samuel H. Kneass, civil engineer, in relation to his survey duties of the route for the Sunbury and Erie Railroad.

The Clerk proceeded to read the same, when

Mr. Boswell

Moved that the further reading thereof be dispensed with, and that it be printed for the use of the members.

Mr. Randall

Moved to amend, to refer the report to the Committee on Railroads.

Which amendment was accepted, and the report so referred.

Mr. Bumm

Presented a petition from citizens of the Eighteenth Ward, complaining of the public landing at the foot of Bishop Street, in its unfinished state, as a nuisance, and respectfully asking that the same may be filled up, accompanied with the following resolution.

Resolved, That the Superintendent of Highways for the late District of Kensington be and he is hereby directed to have the public landing at the foot of Bishop Street filled up.

Mr. Boswell

Moved to dispense with the consideration of the resolution, and refer the same to the Committee on Port Wardens, &c.

Which was not agreed to.

And the resolution as read was agreed to.

Select Council concurred.

Mr. Wickersham, Chairman of Committee on Finance, made report, with the accompanying preamble and resolution:

The Committee on Finance beg leave to offer the following preamble and resolution, and ask its adoption.

MORRIS WICKERSHAM,

Chairman.

WHEREAS, by force of an ordinance of Select and Common Councils of the City of Philadelphia, approved July 27th, 1854, entitled "An Ordinance Prescribing the Powers and Duties of the City Treasurer," the treasurers of the Corporations of the Commissioners and Inhabitants of the District of Southwark; the Commissioners and Inhabitants of the Incorporated District of the Northern Liberties; the Commissioners and Inhabitants of the Kensington District; the Commissioners and Inhabitants of the District of Spring Garden; the Commissioners and Inhabitants of the District of Moyamensing; the Commissioners and Inhabitants of the District of Penn; the Commissioners and Inhabitants of the District of Richmond, in the County of Philadelphia, and of the Districts of West Philadelphia and Belmont, of the

Boroughs of Manayunk, Germantown, Frankford, Whitehall, Bridesburg and Aramingo, and of the townships of Passyunk, Kingsessing, Blockly, Roxborough, Germantown, Bristol, Oxford, Lower Dublin, Moreland, Byberry, Northern Liberties, Delaware and Penn, and the Treasurer of the County of Philadelphia were superseded :

Therefore,

Resolved, By the Select and Common Councils, that the treasurers of the above named corporations be, and they are hereby required to make payment to the Treasurer of the City of Philadelphia of all monies in their hands or control as such treasurer ; and to deliver to him all vouchers, books of account and papers pertaining to their said offices, and to present their accounts to the City Controller for the purpose of auditing and settlement.

Which was twice read and agreed to.

Mr. Wickersham

Chairman of the Committee on Finance, made a report with the accompanying resolution :

Resolved, That the Receiver of Taxes be, and is hereby authorized to employ six temporary clerks in his office for the period of three months, at a monthly salary of \$75.

Which was twice read and agreed to.

Mr. Wickersham

Chairman of Committee on Finance made report on the Bill of Claims of Joseph Shantz, late Supervisor of North Penn, and moved that the bill be referred back to him, as the same was improperly made out, and that the Committee be discharged from the further consideration of said bill.

Which was agreed to.

Mr. Copeland

Chairman of the Committee on Highways, made report accompanied with an ordinance, to authorize the construction of a certain culvert.

The report having been read,

Mr. Copeland

Moved to proceed to the reading and consideration of the ordinance

Which was not agreed to.

Mr. Gratz, Chairman of the Committee on Police, made a report, accompanied by an ordinance, entitled,

“A Supplement to an Ordinance, approved the 28th of July, 1854, entitled an Ordinance Organizing the Police Department of the City of Philadelphia.”

And moved to proceed to the reading and consideration of the same.

Which was not agreed to.

Mr. Dennis offered the following resolution:

Resolved, That all meetings of Councils, called at 3 o'clock, P.M., shall regularly adjourn at or before 7 o'clock, unless two-thirds of the members present shall decide to continue in session to a later hour.

Which was twice read and agreed to.

Select Council concurred.

Mr. Moran offered the following resolution:

Resolved, That the large room of the Southwark Hall be granted for the use of the Grover Land Company, on Monday Evening, August 7th, 1854.

Mr. Newell

Moved to refer the resolution to the Committee on City Property.

Which was withdrawn.

And the resolution was twice read and agreed to.

Select Council concurred.

Mr. Mercer offered the following resolution:

Resolved, That the Police Committee, in conjunction with the Mayor, arrange upon some suitable uniform, viz: a number, mark or badge, whereby the said policemen may be recognized by the citizens, while they are on duty.

Which was withdrawn.

The same gentleman offered the following:

Resolved, That the presiding officer of this Chamber, hereafter strictly enforce the latter clause of Rule 1st, viz: That no member shall depart without leave from the President.

Which was twice read and postponed.

Mr. Graeff offered the following preamble and resolution:

WHEREAS, It is self-evident the necessity of Councils meeting almost daily, that the several departments of the City may be organized:

Therefore,

Resolved, That the Clerk be instructed to have prepared for the use of the members and the reporters of the press, suitable refreshments, and that the same be prepared at every meeting of Councils, at five o'clock in the afternoon; *Provided*, no liquors shall be used.

And moved its adoption.

Mr. Gratz

Moved to strike out all after the word "afternoon."

Mr. Hoppel

Moved to postpone the further consideration thereof.

Mr. Larzalere

Moved to refer the same to the Committee on Poor.

Mr. Newell

Moved to refer to the Committee on Health.

Mr. Crispin

Moved to amend to indefinitely postpone the consideration thereof.

On this amendment the yeas and nays were demanded by Messrs. Crispin and Painter.

And, being ordered were as follows:

YEAS—Messrs. Abbey, Andress, Bishop, Bumm,

Boswell, Conrad, Corlies, Crispin, Dunk, Dubree, Gibson, Gay, Green, Gratz, Houseman, Horn, Hacker, Hoppel, Hassinger, Laws, Larzalere, Mercer, Matthews, Manuel, Magarge, Norton, O'Neill, Read, Rhoads, Stuart, Scheetz, Shuster, Verree, Diehl, *President*.

NAYS—Messrs. Berry, Balch, Butcher, Copeland, Cowell, Cresswell, Dennis, Eastwick, Grove, Graeff, Hubbard, Hilles, Lloyd, Moran, Martien, Newell, Pomeroy, Painter, Preston, Randall, Stallman, Wickersham, Wagner.

Yeas, 35; nays, 23.

So the amendment was agreed to, and

The resolution was indefinitely postponed.

Mr. Dennis

Offered the following resolution:

Resolved, That at all meetings of Council, now and hereafter to be held, the names of members be called once every hour, and the names of those present be entered on the minutes.

Which was twice read and not agreed to.

Mr. Painter

Offered the following resolution:

Resolved, That the Committee on Highways be, and are hereby instructed to inquire into and report some plan by which the present confusion in the nomenclature of the Streets of the City can be corrected.

And moved its adoption.

Mr. Andress

Moved to amend by adding at the end thereof, "Also, the numbers of Houses."

Which amendment was agreed to, and

The resolution as amended was agreed to.

Mr. Boswell

Offered the following resolution:

Resolved, That the Clerks of Councils be, and they are hereby directed to furnish the Mayor of the City with a

copy of the proceedings of Councils, as early as is practicable after each adjournment.

Which was twice read and agreed to.

Mr. Martien

Offered the following resolution :

Resolved, That a committee of five be appointed to select printers, binders and stationers, and report at next stated meeting the names of those persons selected for the approval and election by Councils.

And moved its adoption.

Mr. Wickersham

Moved to amend, to strike out all after the word "Resolved" and insert "that at next stated meeting of Councils they proceed to elect — printers, and — binders."

On this amendment the yeas and nays were demanded by Messrs. Wickersham and Painter,

And being ordered were as follows :

YEAS—Messrs. Abbey, Austin, Bishop, Balch, Butcher, Boswell, Copeland, Conrad, Corlies, Crispin, Dunk, Dennis, Dubree, Eastwick Gibson, Grove, Gay, Green, Gratz, Houseman, Horn, Hilles, Hassinger, Laws, Lloyd, Mercer, Norton, O'Neill, Preston, Read, Randall, Stuart, Scheetz, Shuster, Stallman, Wickersham, Wagner.

NAYS—Messrs. Andress, Berry, Bumm, Cowell, Cresswell, Graeff, Hacker, Hubbard, Hoppel, Larzalere, Moran, Martien, Matthews, Manuel, Magarge, Newell, Pomeroy, Painter, Rhoads, Verree, Diehl, *President*.

Yeas, 37; nays, 21.

So the amendment was agreed to.

Mr. Martien

Moved to amend to insert "stationery."

Which was agreed to.

Mr. O'Neill

Moved to re-consider the vote by which the amendment was adopted.

Mr. Moran

Moved to amend to indefinitely postpone the further consideration thereof.

Which was not agreed to, and

The motion to re-consider was agreed to.

Mr. O'Neill

Moved to amend to strike out all after "Resolved," and insert, "That at the next stated meeting we go into a nomination for printer, binder and stationer for Council, and at the next stated meeting to elect."

Which was agreed to.

Mr. Randall

Moved to strike out stationer.

Which was agreed to, and

The amendment as amended was agreed to, and

The resolution as amended was agreed to.

Mr. Boswell

Read in place and presented to the Chairman an ordinance entitled, "An Ordinance to make an Appropriation for the use of the Girard College for Orphans."

And moved that the same be read a second time.

Which was agreed to.

The first section having been read, and being under consideration,

Mr. Laws

Moved that the further consideration thereof be postponed, and that the bill be printed for the use of members.

Which was not agreed to.

The question being on the adoption of the section,

The yeas and nays were demanded by Messrs. Laws and Andress.

And, being ordered, were as follows:

YEAS—Messrs. Abbey, Berry, Bishop, Balch, Butcher, Boswell, Cowell, Cresswell, Dunk, Dennis, Dubree, Eastwick, Grove, Gay, Gratz, Houseman, Horn, Hacker, Hubbard, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Magarge, Norton, Newell, Pomeroy, Reed, Randall, Rhoads, Stuart, Scheetz, Shuster, Stallman, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Andress, Austin, Bumm, Copeland, Conrad, Corlies, Green, Graeff, Hoppel, Laws, Painter, Preston.

Yeas, 41; nays, 12.

So the section was agreed to.

The second section was agreed to.

The third section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

The bill having been so prepared, it was, by special order, read the third time and agreed to.

Mr. Matthews, (on leave granted at this time,)

Presented a communication from residents and property owners on Green Street, between Sixteenth and Seventeenth Streets, praying that Centre Street, directly back of their houses, may be at once paved, as the same, from its filthy condition, has been presented to the Board of Health.

Which was referred to the Committee on Highways.

Message from Select Council

Informed this Council that they had passed an ordinance entitled "An Ordinance relating to the payment of certain salaries."

Which was read, and

The first and only section being under consideration,

Mr. Conrad

Moved to amend by striking out all after the word "thereof," in the ninth line.

Which was not agreed to.

Mr. Moran

Moved to amend by striking out all after the word "Provided," on the ninth line, and insert "no salary shall be paid to any elective officer, unless he swear or affirm and subscribe to a like oath or affirmation."

Ruled out of order.

Mr. Dennis

Moved to re-consider the vote by which the amendment was negatived.

Mr. Cowell

Moved to amend to indefinitely postpone the further consideration of the ordinance.

On this amendment the yeas and nays were demanded by Messrs. Randall and Hoppel.

And, being ordered, were as follows:

YEAS—Messrs. Abbey, Bishop, Balch, Bumm, Cowell, Cresswell, Conrad, Corlies, Dunk, Dubree, Eastwick, Gibson, Giller, Grove, Green, Gratz, Houseman, Horn, Hacker, Hubbard, Hoppel, Laws, Larzalere, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Pomeroy, Rhoads, Stuart, Scheetz, Stallman, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Berry, Butcher, Boswell, Dennis, Gay, Hilles, Hassinger, Lloyd, Mercer, Magarge, Painter, Read, Randall, Shuster.

Yeas, 38; nays, 15.

So the amendment was agreed to, and

Common Council non-concurred.

The President

Laid before Council a communication from Edward Miller, Chief Engineer of the North Pennsylvania Railroad Company, and Benjamin Moore, Surveyor of the late District of Kensington, in relation to the sheds at the end of the market house at Second Street and Franklin Avenue.

Which was referred to the Committee on Railroads.

Mr. Hoppel

Moved to proceed to the consideration of the resolution offered by him at the last meeting of Councils.

Which, on motion, was postponed.

Mr. Balch

Offered the following resolution:

Resolved, That a committee of three be appointed to receive proposals from persons applying for the appointment as printers, stationers, and bookbinders to this Council; such proposals to be accompanied by specimens and schedule of rates; the committee to report at next stated meeting.

And moved its adoption.

Mr. Moran

Moved to strike out "printer."

Which was not agreed to.

The question being on the adoption of the resolution,

The yeas and nays were demanded by Messrs. Hassinger and O'Neill.

And, being ordered, were as follows:

YEAS—Messrs. Abbey, Address, Austin, Berry, Bishop, Balch, Cresswell, Corlies, Dunk, Dubree, Gibson, Gay, Hubbard, Hassinger, Laws, Martien, O'Neill, Pomeroy, Stuart, Scheetz, Shuster, Stallman, Verree.

NAYS—Messrs. Bunn, Butcher, Boswell, Cowell, Conrad, Dennis, Eastwick, Giller, Grove, Green, Gratz, Houseman, Horn, Hacker, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Moran, Matthews, Manuel, Magarge, Norton, Newell, Painter, Read, Randall, Rhoads, Wagner, Diehl, *President*.

Yeas, 23; nays, 31.

So the resolution was not agreed to.

A message from Select Council

Informed that they have concurred in the bill entitled "An Ordinance making an appropriation to the Guardians

of the Poor," with an amendment, to-wit: Strike out all after the word "of," in the last line, and insert the words "salaries and supplies."

In which amendment Common Council concurred.

Also,

That they have passed an Ordinance entitled "A supplement to an Ordinance, approved July 18th, 1854, entitled 'An Ordinance to levy and fix the rate of taxes for the year eighteen hundred and fifty-four,'"

Council proceeded to the re-consideration of the same.

Mr. Moran

Moved to postpone the further consideration.

Which was not agreed to.

Message from Select Council

Informed this Council that they had concurred in the resolution of Common Council to adjourn at or before seven o'clock.

Mr. Dennis

Moved the further consideration of this Ordinance be postponed, to enable him to offer the following resolution :

Which was agreed to.

Resolved, That when this Council adjourn, they adjourn to meet on Monday afternoon at three o'clock.

Which was agreed to.

Mr. Andress

Moved to amend, to insert at the end thereof, "that any person having a mortgage on his property shall deduct the same from the assessed value of his property, and the mortgagee pay the tax on the said mortgage."

Which was not agreed to.

Mr. Moran

Moved that the Ordinance be indefinitely postponed.

Which was agreed to.

Council adjourned.

MONDAY, August 7th, 1854.

Council met pursuant to adjournment—Present

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Bumm,
Binder,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Conrad,
Corlies,
Dunk,
Davenport,
Dennis,
Dougherty,
Dubree,
Eastwick,
Gibson,
Grove,
Griscorn,
Gillingham,
Gay,
Green,

Messrs. Gratz,
Graeff,
Horn,
Hubbard,
Hoppel,
Hilles,
Hassinger,
Lloyd,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Pomeroy,
Preston,
Randall,
Shuster,
Taylor,
Verree,
Watt,
Wagner,
Diehl, *President.*

Select Council

Inform this council that they have passed an ordinance entitled "An Ordinance Relating to the Clerks and Messengers of Councils," and ask concurrence.

The ordinance was read, and the first section being under consideration,

Mr. Cresswell

Moved to amend by striking out all after the word "elected" on the fifth line.

Which was not agreed to.

Section first was agreed to.

Section second was agreed to.

Section third being under consideration,

Mr. Norton

Moved to amend by striking out the word "approval," on the first line, and inserting in lieu thereof, "consideration."

Mr. Martien

Moved further to amend by striking out all after the word "Mayor" to the word "every."

Which amendments were not agreed to.

The section was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

Section sixth being under consideration,

Mr. Andress

Moved to strike out the word "two" on the third line, and insert "one."

Which was not agreed to.

The section was agreed to.

Section seventh was agreed to.

Section eighth was agreed to.

Section ninth was agreed to.

Section tenth was agreed to.

Section eleventh was agreed to.

Section twelfth being under consideration,

Mr. Randall

Moved to amend by adding a proviso that the words "incidental expenses" shall not include refreshments for members.

On this question the ayes and nays were demanded by Messrs. Randall and Graeff.

And being ordered were as follows :

YEAS—Messrs. Abbey, Address, Austin, Bishop, Boswell, Cresswell, Dunk, Davenport, Griscom, Gay, Graeff, Horn, Hubbard, Hilles, Hassinger, Larzalere, Mercer, Moran, Matthews, Mamel, Magarge, Norton, O'Neill, Preston, Randall, Shuster, Taylor, Diehl, *President*.

NAYS—Messrs. Berry, Balch, Binder, Butcher, Copeland, Conrad, Corlies, Dennis, Dougherty, Dubree, Eastwick, Gibson, Gillingham, Hoppel, Martien, Pomeroy, Wagner.

Yeas 28; nays 17.

Which was agreed to.

The section as amended was agreed to.

Section thirteenth was agreed to.

Section fourteenth being under consideration,

Mr. Hoppel

Moved to amend by striking out "\$1200" on the third line, and substituting "\$1500."

Mr. O'Neill

Moved further to amend by making principal clerks \$1500 each, and assistants \$1200.

The amendment was accepted.

Mr. Address

Moved a division of the question.

Which was agreed to.

The first division, which was the "Principal Clerks \$1500," was not agreed to.

The second division, "the Assistant Clerks of Select Council \$1200 each," was not agreed to.

The third division, "\$1500 for Principal Clerk of Common Council," was agreed to.

The fourth division, "two Assistant Clerks of Common Council, \$1200," was not agreed to.

Mr. Martien

Moved to amend in the fourth line, by striking out "\$700" and inserting "\$850."

On this question the yeas and nays were demanded by Messrs. Moran and Martien,

And being ordered were as follows :

YEAS—Messrs. Austin, Berry, Butcher, Dunk, Dubree, Grove, Gillingham, Graeff, Hoppel, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Norton, O'Neill, Pomeroy, Randall, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Andress, Bishop, Balch, Binder, Boswell, Copeland, Cresswell, Conrad, Corlies, Davenport, Dennis, Dougherty, Eastwick, Gibson, Griscom, Gay, Gratz, Horn, Hubbard, Hilles, Hassinger, Preston, Shuster, Taylor.

Yeas 22 ; nays 25.

Which was not agreed to.

Mr. Balch

Moved to strike out "\$700" and insert "\$800."

Mr. Griscom

Moved an amendment to the amendment, by striking out "\$800" and insert "\$750."

Which was not agreed to.

On the question on the amendment,

The yeas and nays were demanded by Messrs. Eastwick and Moran,

And being ordered were as follows :

YEAS—Messrs. Austin, Berry, Balch, Butcher, Dunk, Davenport, Grove, Gillingham, Graeff, Hubbard, Hoppel,

Larzalere, Mercer, Moran, Martien, Magarge, Norton, O'Neill, Pomeroy, Randall, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Address, Bishop, Binder, Boswell, Copeland, Cresswell, Conrad, Corlies, Dennis, Dougherty, Dubree, Eastwick, Gibson, Griscom, Gay, Gratz, Horn, Hilles, Hassinger, Matthews, Manuel, Preston, Shuster, Taylor.

Yeas 22; nays 25.

Which was not agreed to.

Mr. Boswell

Moved further to amend, by striking out “\$700” and inserting “\$600.”

Which was afterwards withdrawn.

Mr. Gibson

Moved further to amend, by striking out “\$700” and substitute “\$725.”

Which was not agreed to.

The division was agreed to.

The fourteenth section as amended was agreed to.

Mr. Moran

Moved to re-consider the vote by which the twelfth section was not agreed to.

Which was agreed to.

The twelfth section being under consideration,

Mr. Boswell

Moved to amend, to strike out the word “incidental.”

Mr. Randall

Moved further to amend, by striking out the word “expenses.”

Mr. Martien

Moved the indefinite postponement of the twelfth section.

Which was afterwards withdrawn.

Mr. Boswell

Moved the further consideration of the bill for the present

Which was also withdrawn.

The amendment to the amendment was not agreed to.

The amendment to strike out the word "incidental" was agreed to.

The section as amended was negatived.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was then by special order read a third time, and agreed to.

Select Council

Inform this Council that they have concurred in the resolution in relation to the Treasurers of Corporations, Townships, &c., with amendments, and ask concurrence.

Common Council non-concurred.

Also,

An ordinance establishing the Law Department of the City of Philadelphia, with amendments.

Mr. Norton

Moved that this chamber insist on its amendment, and that a Committee of Conference be appointed, when

The President

Appointed, on behalf of the Common Council, Messrs. Wagner, Magarge, and Grove.

And Messrs. Hutchinson, Roberts, and Miller, on behalf of Select Council.

Also,

That they had under consideration an ordinance to establish and organize the department of City Property, and have concurred in the same with amendments.

In which amendments Common Council non-concurred.

Mr. Cresswell

Moved that Common Council inform Select Council that they insist on their amendments, and that the President appoint a committee of conference.

Which was agreed to, when

The President

Appointed, on behalf of Common Council, Messrs. Cope-land, Martien, and Andress.

Select Council, Messrs. Hinman, Sandgran, and Stokes.

Select Council

Informs this Council that they have passed a further supplement to an ordinance entitled "An ordinance to make an appropriation for the payment of certain claims for labor," and ask concurrence.

Section first being under consideration,

Mr. Randall

Moved to amend by adding "for the payment of the expenses of cleansing the streets of the City, under contracts now existing."

Which was agreed to.

Section as amended was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

The bill was then, by special order, read a third time and agreed to.

Select Council concurred.

Select Council

Informs this Council that they have had under consideration, "An ordinance establishing the department of Highways, Bridges, Sewers, and Cleansing of the City," and concurred in the bill with the following amendments:

The amendments to the first, second, and third sections were concurred in.

The amendment to the fourth section was non-concurred in.

The amendment to the fifth section being under consideration,

The yeas and nays were demanded by Messrs. Randall and Dennis.

Which were as follows:

YEAS—Messrs. Austin, Berry, Balch, Binder, Butcher, Boswell, Copeland, Corlies, Dunk, Eastwick, Grove, Gillingham, Gratz, Graeff, Hilles, Hassinger, Manucl, Magarge, O'Neill, Preston, Taylor, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Andress, Bishop, Bunn, Cowell, Cresswell, Conrad, Davenport, Dennis, Dougherty, Dubree, Gibson, Griscom, Gay, Green, Horn, Hubbard, Hoppel, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Norton, Parham, Randall, Shuster.

Yeas 20; nays 28.

So Common Council non-concurred.

The amendment to the sixth section was concurred in.

The amendment to the eighth section was non-concurred in.

The amendment to the ninth section was concurred in.

The amendment to the twelfth (now tenth) section was non-concurred in.

The amendment to the thirteenth (now twelfth) section was non-concurred in.

The amendment to the fourteenth (now thirteenth) section was concurred in.

The amendment to the eighteenth (now seventeenth) section was concurred in.

The amendment to the nineteenth (now eighteenth) section was non-concurred in.

The two new sections, as follows, were concurred in.

SECT. 20. The Joint Standing Committee of Councils shall have supervision over all matters appertaining to this department, and it shall be the duty of the Chief Commissioner of Highways to submit all contracts, plans, &c., together with all accounts, bills, &c., for work or labor done, which may appertain to this department, to the said Committee for their inspection, before any action shall be had thereon.

SECT. 21. That so much of any and all former ordinances as are hereby altered or supplied by the provisions of this ordinance, be, and the same are hereby, repealed.

Select Council

Informs this Council that they have concurred in the ordinance to make an appropriation for the use of the Girard College for Orphans, with the following amendment to section second, "Provided that the said Board shall not authorize the issue of any warrant until the bill for the payment of which it is to be drawn, be submitted to the Committee on Girard Estate, for supervision.

In which Common Council concurred.

The President

Laid before the Council the following communication from the Mayor:

{ MAYOR'S OFFICE,
{ Philadelphia, Aug. 7, 1854.

To the President of Common Council:

SIR:—I have approved and signed the following ordinances, viz:

"An ordinance to provide for the issue of certificates of debt of the City of Philadelphia."

Also,

“An ordinance making an appropriation to the Guardians of the Poor.”

R. T. CONRAD, *Mayor*.

Which was read and laid on the table.

Select Council informs this Council that they non-concurred in the amendment to the Ordinance relating to the Clerks and Messengers of Councils.

Mr. Cresswell

Moved that Common Councils insist upon their amendment to Twelfth Section.

On the motion the yeas and nays were demanded by Messrs. Gibson and Dennis,

And being ordered were as follows :

YEAS—Messrs. Abbey, Andress, Austin, Bishop, Balch, Bunn, Butcher, Boswell, Copeland, Cowell, Cresswell, Conrad, Corlies, Davenport, Dennis, Dougherty, Dubree, Eastwick, Grove, Griscom, Gay, Green, Gratz, Graeff, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Magarge, O'Neill, Preston, Randall, Shuster, Taylor, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Binder, Gibson, Gillingham, Horn, Norton.

Yeas 44; nays 5.

So the motion was agreed to.

Mr. O'Neill

Moved to insist upon the amendment in relation to the salary of Principal Clerk of Common Council.

Which was also agreed to.

Mr. Balch

Moved that a Committee of Conference be appointed.

Which was agreed to.

And Messrs. Balch, Wagner and O'Neill were appointed on the part of Common Council.

Mr. Balch

Moved to take up the ordinance returned from Select Council, entitled "A Supplement to an Ordinance, approved July 18th, 1854, entitled an Ordinance to Levy and Fix the rate of Taxes for the year eighteen hundred and fifty-four," with a view to insist upon our amendments. And moved further, that a Committee of Conference be appointed.

Which was agreed to.

And the President appointed Messrs. Abbey, Eastwick and Bumm on said committee.

Messrs. Hutchinson, Pratt and Keyser were appointed on behalf of Select Council.

Mr. Copeland, Chairman of the Committee on Highways,

Asked leave to present the following report, accompanied with an ordinance "To Provide for the Payment of Labor and Materials furnished at the Girard Avenue Bridge."

To the Select and Common Councils :

The Committee on Highways, to whom was referred the matter of the Bridge over the Schuylkill River, at Girard Avenue, beg leave to report the accompanying ordinance.

SAML. COPELAND, *Chairman.*

Aug. 3d, 1854.

Which was read.

Mr. Copeland

Moved to proceed to the reading and consideration of the ordinance.

Which was agreed to.

The first section being under consideration,

Mr. Boswell

Moved that the further consideration be postponed, and that the ordinance be printed for the use of the members.

Which was agreed to.

Mr. Martien

Offered the following resolution :

Resolved, That the stated meetings of Councils shall be held on Wednesday at 3 o'clock P. M., until otherwise ordered.

Which was read twice and not agreed to.

Mr. Moran (on leave granted at this time,)

Presented a petition from H. H. K. Elliott, accompanied with a recommendation of citizens, soliciting the appointment of Superintendent of the Girard Estates.

Which was referred to the Committee on Girard Estates.

The President

Laid before Council a communication from George W. Brown, in relation to a lot of ground bounded by Locust Street, Ninth Street, Shields' Alley and Raspberry Alley.

Mr. Copeland

Moved to refer the same to the Committee on City Property.

Mr. Boswell

Moved to amend the motion, to refer it to a joint special committee of five from each chamber.

Mr. Newell

Moved to amend the amendment, to refer the communication to the Committee on Market Houses.

Which was withdrawn.

The hour of 7 having arrived,

Mr. O'Neill

Moved to adjourn.

Which was agreed to.

And Council adjourned.

THURSDAY, August 10th, 1854.

Council met—Present,

Messrs. Abbey,
 Andress,
 Austin,
 Berry,
 Bishop,
 Balch,
 Bumm,
 Binder,
 Butcher,
 Boswell,
 Copeland,
 Cresswell,
 Conrad,
 Corlies,
 Dunk,
 Davenport,
 Dennis,
 Dougherty,
 Dubree,
 Eastwick,
 Gibson,
 Gillingham,
 Green,
 Gratz,
 Graeff,
 Houseman,
 Harper,
 Hubbard,

Messrs. Hoppel,
 Hilles,
 Hassinger,
 Mercer,
 Moran,
 Martien,
 Matthews,
 Manuel,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Powell,
 Parham,
 Painter,
 Preston,
 Read,
 Randall,
 Roberts,
 Scheetz,
 Shuster,
 Stallman,
 Taylor,
 Verree,
 Watt,
 Wagner,
 Dichl, *President.*

The Journal was read and approved.

Mr. Mercer

Presented a communication from Wm. Jefferis, of the Second Ward, soliciting the appointment of Clerk of one of the markets.

Which was laid on the table.

Mr. Gibson

Presented a bill from Messrs. M'Connell and Lafferty, against the late District of Moyamensing for extra grading, &c., amounting to \$157 96.

Which was referred to the Committee on Finance.

Mr. Verree

Presented sundry memorials from a large number of citizens of the Twenty-third Ward, in reference to a road or street that has been opened running from the Bristol Turnpike to the River Road. Also, to a bridge that is being built over a small brook crossing said road, and asking that the same may be finished as speedily as possible.

Which was referred to the Committee on Highways.

Mr. Martien

Presented a communication from a number of citizens residing on Race Street, between Sixteenth and Eighteenth Streets, asking that a culvert or sewer may be constructed on the said street for the purpose of drainage.

Which was also referred to the Committee on Highways.

Also,

Presented a communication from Charles Lenning asking that the grade of Gold Street, between Second and Dock Streets may be altered, or give him permission to do so under the supervision of the City Surveyor.

Which was also referred to the Committee on Highways.

Mr. Wagner

Presented a communication from owners and occupants

of property on Fifth Street, between Arch and Race Streets, asking that a culvert may be constructed on said street.

Which was also referred to the Committee on Highways.

Mr. Moran

Presented a communication from Enoch S. Reed, of the Twentieth Ward, soliciting the appointment of Supervisor of said Ward.

Which was laid on the table.

Mr. Martien

Presented a communication from Millard Bancroft of the Tenth Ward, soliciting the appointment of watchman of Permanent Bridge.

Which was laid on the table.

Mr. Preston

Presented a communication from property holders of the Twenty-first Ward, asking that Ellis Street may be opened from Mechanic to Levering Streets, in the late Borough of Manayunk.

Which was referred to the Committee on Highways.

The President

Laid before Council a communication from Richard Vaux, Esq., President of the Board of Inspectors of the Eastern State Penitentiary, with the following resolution :

At a stated meeting of the Board of Inspectors held at the E. S. Penitentiary, August 5, 1854, the following resolution was read and adopted :

Resolved, That the President be, and he is hereby authorized and requested to make application to the Select and Common Councils of the City of Philadelphia, for the following appropriations, viz :

For \$3,958 32, being a balance and unpaid by the County of Philadelphia for the support of convicts from said County at the Eastern Penitentiary for the year 1853 ;

and, also, for \$5,000, or such portion thereof, as may be required for a like purpose for the year 1854.

RICHARD VAUX,

President of the Board.

Mr. Norton

Moved that it be referred to the Committee on Finance.

Which was not agreed to.

Mr. Boswell

Moved that it be referred to the Committee on Prisons.

Which was agreed to.

The President

Laid before Council the following resolution, adopted at a meeting of the Board of Guardians of the Poor, August 7th, 1854 :

Resolved, That the President and Treasurer of this Board make application to the Select and Common Councils of the City of Philadelphia, for an appropriation of \$44,000 for the following purposes :

| | |
|--------------------------------------|----------|
| To meet demands for out door relief, | \$20,000 |
| “ “ support cases, | 4,000 |
| “ “ salaries and supplies, | 20,000 |
| | <hr/> |
| | \$44,000 |

FREDERICK M. ADAMS, *President.*

TOWNSEND SMITH, *Treasurer.*

Attest—S. SNYDER LEIDY, *Secretary.*

Which was referred to the Committee on Poor.

Also,

A communication from George C. Geyer, Alderman of Thirteenth Ward, soliciting the appointment of Committing Magistrate.

Which was laid on the table.

Also,

A communication from Samuel P. Marks, Clerk of the Board of Health, with the accompanying resolution :

HEALTH OFFICE, }
Philadelphia, August 8th, 1854. }

At a meeting of the Board of Health held this day, the following resolution was adopted :

Resolved, That the Clerk be requested to ask permission of Councils for the members and officers of the Board of Health to open the fire plugs to cleanse gutters which are filthy.

Extract from the minutes.

SAMUEL P. MARKS, *Clerk*.

Which was referred to the Committee on Water Works.

Also,

A communication from John Neff, soliciting the appointment of Superintendent of the City Railroad.

Which was laid on the table.

Also,

A communication from James H. Bryson, soliciting the appointment of Printer to the Select and Common Councils.

Which was also laid on the table.

Also,

A communication, with a recommendation, from George Emerick, soliciting the appointment of Superintendent of the City Railroad.

Which was also laid upon the table.

Also,

A communication from residents of Ridge Avenue above Poplar Street, asking that gas pipes may be laid in said Street or Avenue, as soon as possible.

Which was referred to the Committee on Gas.

Mr. Randall

Presented a communication from a large number of persons engaged in the transportation business, recommending John Neff for Superintendent of the City Railroad.

Which was laid on the table.

Mr. Martien

Chairman of the Committee on Trusts and Fire Department, presented the following report:

COMMITTEE ROOM, }
August 10th, 1854. }

To the Select and Common Council,

The Committee on Trusts and Fire Department, beg leave to submit the ordinance herewith attached, and ask its adoption; and

Moved to suspend the rules to consider the ordinance entitled "An Ordinance to provide for the care and management of the Trusts vested in the Corporation of the City of Philadelphia, except the Girard Trust."

Which was agreed to.

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The fourth section was agreed to.

The fifth section was agreed to.

The sixth section was agreed to.

The seventh section was agreed to.

The eighth section being under consideration,

Mr. Martien

Moved to fill the first blank in the second line with "September."

Which was agreed to.

Also,

To fill the blank in the eighth line, with "\$2000."

Which was also agreed to.

The section as amended was agreed to.

The ninth section being under consideration,

Mr. Griscom

Moved to add in the tenth line, after the word "loan," "the names and residences of such sureties, and also of the borrower; he shall in all cases report to Councils for their approval."

Mr. Matthews

Moved to strike out all after the word "testator" in the twenty-fourth line down to the fifth item.

Which was not agreed to.

Mr. Norton

Moved to amend by adding in the second line, after the word "corporation," "except the Girard Trust."

Which was agreed to.

Mr. Parham

Moved further to amend, by striking out in the ninth line after the word "is," "free from incumbrances and,"

Which was not agreed to.

Mr. Griscom

Moved to add after the word "appoint" in the thirteenth line, "and under their supervision."

Which was agreed to.

Also,

To add in the twenty-first line, after the word "shall," "under the supervision of the Committee on Trusts."

Which was agreed to.

The section as amended was agreed to.

The tenth section was agreed to.

The eleventh section was agreed to.

The twelfth section was agreed to.

The thirteenth section was agreed to.

The fourteenth section being under consideration,

Mr. Martien

Moved to fill the first blank with “\$300.”

Mr. Balch

Moved to amend by inserting “\$200.”

Mr. Abbey

Moved an amendment to the amendment; by inserting “\$150.”

Which was accepted.

The amendment was agreed to.

The section as amended was agreed to.

The fifteenth section was agreed to.

Mr. Martien

Then moved a re-consideration of the vote by which the eighth section was adopted.

Which was agreed to.

The eighth section being under consideration,

Mr. Martien

Moved to amend by striking out “2000” in the eighth line, and insert “\$1000.”

Which was agreed to.

The section as amended was agreed to.

The title was read and agreed to.

And the bill was ordered to be prepared for a third reading.

It was then by special order read the third time and passed.

Select Council concurred.

Mr. Copeland

Moved to suspend the order of business, and proceed to the consideration of the ordinance entitled "An Ordinance to provide for the payment of labor and materials furnished at the Girard Avenue Bridge."

Which was not agreed to.

Mr. Eastwick

Chairman of the Committee on Surveys and Regulation, presented the following report:

COMMITTEE ROOM, }
August 10, 1854. }

To the President and Members of the Select and Common Councils :

The Committee on Surveys and Regulations beg leave to offer the accompanying ordinance, and ask its adoption.

Mr. Boswell

Moved that the further consideration of the ordinance be postponed, for the purpose of offering a resolution.

Which was agreed to.

Mr. Boswell then offered the following preamble and resolution :

Whereas, The Councils of the City of Philadelphia, in January last, appropriated a sum of money to furnish medals to Captains Creighton, Low and Stouffer, of the ships "Three Bells," "Kilby" and "Antartic," as a testimonial of their high appreciation of their services in rescuing the passengers and crew of the Steamship "San Francisco," and appointed a committee to carry the same into effect:

And whereas, By the Act of Consolidation the duties and powers of the said committee have ceased and determined, and it is deemed desirable that this praiseworthy object should be carried into effect: therefore,

Resolved, That a Joint Special Committee of three members from each Council be appointed for the purpose of carrying out the objects contemplated by the action of the said former Councils, as set forth in the foregoing preamble.

Which was twice read and adopted.

The preamble was accepted.

And the President appointed on behalf of Common Council, Messrs. Boswell, Green and O'Neill.

Mr. Eastwick

Moved that Council now proceed to the consideration of the ordinance entitled "An Ordinance to Establish and Organize the Department of City Surveyors and Regulators."

Which was agreed to.

The first section was agreed to.

The second section being under consideration,

Mr. Andress

Moved to amend by striking out the whole section, and substituting the following:

SECT. 2. For the purpose of making surveys and regulations for said City, the same shall be divided into fifteen districts; amongst which said districts fifteen City Surveyors shall be appointed, as follows:

First District, first ward, west of Broad Street, one Surveyor.

Second District, first ward east of Broad Street, and second, third and fourth wards—one Surveyor.

Third District, fifth, sixth and seventh wards—one Surveyor.

Fourth District, eighth, ninth and tenth wards—one Surveyor.

Fifth District, eleventh, twelfth and thirteenth wards—one Surveyor.

Sixth District, fourteenth and fifteenth wards—one Surveyor.

Seventh District, sixteenth, seventeenth and eighteenth wards—two Surveyors.

Eighth District, nineteenth ward—one Surveyor.

Ninth District, twentieth ward—one Surveyor.

Tenth District, twenty-first ward—one Surveyor.

Eleventh District, twenty-second ward—one Surveyor.

Twelfth District, twenty-third ward—one Surveyor.

Thirteenth District, twenty-fourth ward, north of Washington Street—one Surveyor.

Twenty-fourth ward, south of Washington—one Surveyor.

On this question the ayes and nays were demanded by Messrs. Address and Eastwick.

And being ordered were as follows :

YEAS—Messrs. Address, Bumm, Dubree, Gillingham, Green, Hoppel, Matthews, O'Neill, Parham, Painter.

NAYS—Messrs. Abbey, Austin, Berry, Bishop, Balch, Binder, Butcher, Boswell, Copeland, Cresswell, Conrad, Corlies, Dunk, Davenport, Dennis, Dougherty, Eastwick, Gibson, Grove, Griscom, Gratz, Graeff, Houseman, Hubbard, Hilles, Hassinger, Mercer, Moran, Martien, Manuel, Magarge, Norton, Newell, Powell, Preston, Read, Randall, Roberts, Scheetz, Shuster, Stallman, Taylor, Verree, Wagner, Diehl, *President*.

Ayes 10 ; nays 45.

The amendment was not agreed to.

Mr. Balch

Moved to amend on the third line, after the word "be" by adding "elected upon the passage hereof, and annually thereafter in the month of September, by a joint *viva voce* vote, in Councils."

Mr. Dennis

Called the previous question.

Message

From Select Council, informing this Council, that they non-concurred in the amendments to the ordinance relating to the Clerks and Messengers, and had appointed a committee of conference, consisting of Messrs. Hutchinson, P. A. Keyser and Sandgran.

Mr. Andress

Then moved that the further consideration of the ordinance be postponed.

Which was agreed to.

Mr. Bishop

Chairman of the Committee on Port Wardens, Public Landings, &c., presented the following:

To the President and Members of Select and Common Council.

The Committee on Port Wardens, Public Landings, and Wharves, beg leave to submit the ordinance attached, and ask its adoption.

Mr. Bishop

Moved that Council now proceed to the consideration of the ordinance entitled "An Ordinance to Organize the Department of Wharves and Public Landings."

Which was agreed to.

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The fourth section being under consideration,

Mr. Griscom

Moved to amend on the fifteenth line after the word "supervision," by adding, "shall be approved by Councils."

Mr. O'Neill

Moved that the further consideration of the bill be postponed for the present.

Which was agreed to

Mr. Randall

Chairman of the Committee on Rooms for Councils, presented the following:

{ COMMITTEE ROOM,
{ *Phila. Aug. 10th, 1854.*

The Committee on preparing rooms for Councils, beg leave to submit the following ordinance, making an appropriation to carry out the object of their appointment, and ask its adoption.

Mr. Randall

Moved that Councils now proceed to the consideration of the ordinance entitled "An Ordinance to make an Appropriation for the payment in part of the expense of fitting up the centre portion of the State House Building for the meetings of Councils."

Which was agreed to.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

The bill was prepared for a third reading.

The bill by special order, being read the third time, it was agreed to.

Select Council concurred.

Mr. Balch offered the following resolution :

Resolved, That a committee of five be appointed to inquire into and report forthwith as to whether the second instalment, due first of August, on the subscription of Mr. Crane and others to the Sunbury and Erie Railroad, has been paid ; and also to report the present condition of the City subscription to said railroad.

Mr. Moran

Moved that it be referred to the Committee on Railroads.

Which was not agreed to.

The resolution was read twice and agreed to.

The President

Appointed Messrs. Balch, Martien, Magarge, Eastwick and Hassinger.

Mr. Gillingham

Chairman of the Joint Special Committee to whom was referred the subject of culverting the Cohocksink Creek, presented the following report.

PHILA. AUGUST 7TH, 1854.

To the Common Council of the City of Philadelphia :

GENTLEMEN,—The Joint Special Committee to whom was referred the subject of culverting the Cohocksink Creek, respectfully report, that they have visited that portion of the City through which the said creek passes, and found it in a very bad condition, filled with every substance injurious to health, and learned that much sickness and disease existed along said creek, which was attributed to the same.

Your committee are of the opinion that said creek should be culverted, and recommend immediate action by Councils for the accomplishment of the same.

All of which is respectfully submitted.

The report was referred to the Committee on Highways.

Mr. Gillingham offered the following resolution :

Resolved, That the Clerk be authorized to procure copies of Sutherland's Legislative Manuel, for the use of Council.

Which was twice read and agreed to.

Mr. Moran offered the following resolution :

Resolved, That the Committee on the Contested Election of the Nineteenth Ward be requested to report at next stated meeting.

Which was twice read and agreed to.

Mr. Mercer offered the following resolution :

Resolved, That the Police Committee, in conjunction with the Mayor, arrange upon some suitable uniform, viz : A number, mark or badge, whereby the said Policeman may be recognized by the citizens while they are on duty.

Mr. Hoppell

Moved to amend by adding "said Committee to report at a subsequent meeting."

Which was agreed to.

The resolution as amended was agreed to.

Mr. Bumm offered the following resolution :

Resolved, That Mr. John Seddinger, Assistant Superintendent of Paving, of the late District of Kensington, act as Superintendent of Highways, until superseded by the election of Supervisors by Councils.

Which was twice read and agreed to.

The President

Laid before Councils the following message from the Mayor :

MAYOR'S OFFICE,
Philadelphia, Aug. 10th, 1854. }

To the President of Common Council :

SIR :—I have this day approved and signed the following ordinances, viz :

“An Ordinance to make an appropriation for the use of the Girard College for Orphans.”

“A further Supplement to an Ordinance, approved July 14th, 1854, entitled ‘An Ordinance to make an Appropriation for the payment of certain claims for Labor.’”

R. T. CONRAD,

Mayor.

Which was laid on the table.

Mr. Gibson offered the following resolution :

Resolved, That the Superintendent of Water of the late District of Moyamensing be, and he is hereby authorized to purchase a sufficient quantity of conduit pipe to be laid in Little Washington Street, between Thirteenth and Broad Streets ; said pipe to be laid under the direction of the Local Committee.

Mr. Gratz

Moved the further consideration of the same be postponed, for the purpose of offering a resolution.

Which was not agreed to.

The resolution was twice read and agreed to.

Mr. Gratz

Moved that when we adjourn, we adjourn to meet to-morrow, at 3 o'clock.

Mr. Hoppell

Moved to amend to strike out "to-morrow" and substitute "Monday."

Which was not agreed to.

Mr. Randall

Moved further to amend by substituting "Tuesday."

Which was agreed to.

Mr. Boswell offered the following resolution :

Resolved, That the Committee on Finance be and they are hereby requested to ascertain whether an appropriation has been made by the late County Commissioners for the purpose of erecting a bridge at the foot of Chestnut Street across the river Schuylkill, and if so, the amount of said appropriation, and where the funds were placed by the late County Treasurer, with such other information in relation to this matter as they may deem advisable to communicate to Councils.

Mr. Martien

Moved to amend, by adding "report at the next stated meeting."

Which was agreed to.

The resolution as amended was agreed to.

Mr. Taylor

Presented a communication from Jacob Lentz of the Eighteenth Ward, asking that water pipes may be laid in Cherry Street, from the Frankford Road to West Street.

Which was referred to the Committee on Water Works.

Mr. Corlies offered the following resolution:

Resolved, That the City Solicitor is requested to call

the attention of the Judges of the Court of Quarter Sessions to the report of the Jury to assess damages for opening Columbia Street from Hancock to Perry Street, in Nineteenth Ward (late Kensington).

Mr. Randall

Moved to amend, by striking out the words "to call the attention of the Judges of the Court of Quarter Sessions," and adding on the first line after the word "the attention of the."

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. Binder offered the following resolution :

Resolved, That the resolution requiring this Council to adjourn at seven o'clock be suspended, and a recess of half an hour be taken, commencing at seven o'clock.

Which was twice read and not agreed to.

Mr. Martien

Moved that Council now proceed to nominate Printers and Binders for this body, in accordance with the resolution adopted at the last meeting of Councils.

Which was agreed to.

PRINTERS.

Mr. Newell nominated Jesper Harding.

Mr. Green nominated Wallace & Fletcher.

Mr. Dennis nominated Alex. Cummings.

Mr. Dennis nominated Crissey & Markley.

Mr. Manuel nominated Wm. H. Sickels.

Mr. Boswell nominated M. McMichael.

Mr. Painter nominated J. H. Jones.

Mr. Hubbard nominated B. Franklin Jackson.

Mr. Moran nominated J. R. Flanigen.

Mr. Copeland nominated Andrew Scott.

Mr. Mercer nominated Wm. F. Geddes.

Mr. Abbey nominated John C. Robb.

Mr. Martien nominated Joseph Sharp.

Mr. Matthews nominated T. K. Collins.

Mr. Dubree nominated John Richards.

Mr. Powell nominated John Coats, Jr.

BINDERS.

Mr. Martien nominated A. L. Hough.

Mr. Parham nominated J. H. Trinkle, Jr.

Mr. Davenport nominated Hays & Zell.

Mr. Grove nominated Clark & Hesser.

Mr. Conrad nominated Joseph Hufty.

Mr. Moran nominated J. B. Smith & Co.

Mr. Gillingham nominated H. Griffith & Co.

Mr. Taylor, nominated John H. Simon.

Mr. Mercer. nominated James K. Simon.

Mr. Butcher nominated Charles Marot.

Mr. Manuel nominated Robert Lindsay.

Mr. Boswell nominated Wm. H. Maurice.

Mr. Norton nominated Wm. Mann.

Mr. Hoppel nominated Henry Mansfield.

Mr. Newell nominated Crissey & Markley.

Mr. Address noninated Perry & Erety.

Mr. Painter nominated J. L. Gihon.

Select Council

Informs this Council that they have passed the following:

Resolved, That when Councils adjourn they adjourn to meet on Monday next at 3 o'clock, P. M., and ask concurrence.

Mr. Randall

Moved that it be laid on the table.

Which was not agreed to.

So Common Council concurred.

Select Council

Informs this Council that they have received a communication from Calvin H. Test, Register of the Kensington Water Works, asking the release of a certain property owned by Wm. A. McCann, one of his securities, and passed the following resolution:

Resolved, That the Solicitor be instructed to release the property of Mr. Wm. A. McCann, situate on the east side of Frankford Road, south of Norris Street, as a part of the security furnished Calvin H. Test, Register of the Kensington Water Works, the other sureties consenting thereto.

Common Council concurred.

Also,

That they have concurred in the Preamble and Resolution relative to furnishing medals to Captains Creighton, Low and Stouffer, and have amended the same by adopting the title thereunto annexed, to wit:

A Resolution relative to furnishing medals to Captains Creighton, Low and Stouffer.

Common Council concurred.

The hour of 7 having arrived,

Mr. Dennis

Moved to adjourn.

Which was agreed to.

MONDAY, August 14th, 1854.

Council met, pursuant to adjournment—Present

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Horn, |
| Andress, | Hacker, |
| Austin, | Hubbard, |
| Berry, | Hoppel, |
| Bishop, | Hilles, |
| Balch, | Hassinger, |
| Bumm, | Laws, |
| Binder, | Lloyd, |
| Butcher, | Merceer, |
| Boswell, | Moran, |
| Copeland, | Martien, |
| Cresswell, | Matthews, |
| Conrad, | Manuel, |
| Corlies, | Magarge, |
| Crispin, | Newell, |
| Dunk, | O'Neill, |
| Davenport, | Parham, |
| Dennis, | Painter, |
| Dougherty, | Preston, |
| Dubree, | Rhoads, |
| Eastwick, | Roberts, |
| Gibson, | Scheetz, |
| Giller, | Shuster, |
| Griscom, | Stallman, |
| Gillingham, | Verree, |
| Gay, | Watt, |
| Green, | Wagner, |
| Gratz, | Diehl, <i>President.</i> |
| Houseman, | |

Select Council

Informs this Council that they have concurred in the

resolution "relative to the Treasurers of the various Corporations" with the following amendment: insert the word "forthwith," and also have made the title as follows:

"Resolution relative to the Treasurers of the various Corporations."

And ask concurrence.

Common Council concurred.

Also,

That they have concurred in the resolution "relative to Receiver of Taxes," and have amended the same by making the title as follows:

"Resolution relative to the Receiver of Taxes appointing temporary clerks."

And ask concurrence.

Common Council concurred.

Mr. Crispin

Presented a petition from a number of citizens of the Twenty-third Ward, in reference to a road or street that has been opened, running from the Bristol turnpike to the River road.

Also,

To a bridge that is being built over a small brook crossing said road, and asking that the same may be finished as speedily as possible.

Which was referred to the Committee on Highways.

Also,

A communication from Jacob Waterman, jr., of the Twenty-third Ward, soliciting the appointment of Tobacco Inspector.

Which was laid on the table.

Mr. Hacker

Presented a communication from Michael S. Benerman, of the Twelfth Ward, soliciting the appointment of Printer to Councils.

Which was laid on the table.

Select Council

Informs this Council that they have non-concurred in the amendment to the Ordinance Establishing the Department of Highways, Bridges, Sewers and Cleansing of the City, and have appointed a Committee of Conference consisting of Messrs. Roberts, Miller and Pratt.

Messrs. Bumm, Butcher and Abbey were appointed on behalf of Common Council.

Mr. Copeland

Chairman of the Committee on Conference on the Ordinance organizing the Department of City Property, presented the following:

PHILADELPHIA, August, 14, 1854.

To the President and Members of Common Council:

The Committee on Conference appointed on behalf of Common Council, on the "Ordinance organizing the Department of City Property," beg leave to make the following report:

Section five. Common Council recede from their amendment in sixth line, "Revenue of Tobacco Warehouse."

In eighth line, Common Council recede.

In fourteenth line, Select Council recede.

In sixteenth line, Common Council recede.

Section sixth. Common Council recede from their amendment.

Section seventh. Select Council recede.

Section ninth. Common Council recede from their amendment.

Section eleventh. Select Council concur in striking out.

Section thirteenth. Common Council recede.

Section nineteenth. Common Council recede from their amendment in the fourth, seventh, ninth, tenth and twelfth lines.

Section nineteenth. Select Council recede from their amendment in the eleventh and thirteenth lines.

SAM. COPELAND, *Chairman.*

J. W. MARTIEN,

C. B. ANDRESS.

The report was adopted.

Mr. Eastwick

Chairman of the Committee on Conference on the Ordinance to fix the rate of taxes, presented the following:

The Committee of Conference on the ordinance entitled "A supplement to the Ordinance to levy and fix the rate of taxes, for the year 1854," report that they are unable to agree, and ask to be discharged from the further consideration of the subject.

A. M. EASTWICK,

H. BUMM,

CHARLES ABBEY.

Philadelphia, August 14, 1854.

The report was accepted and the committee discharged.

Select Council

Informs this Council that they have passed an Ordinance relating to the supervision of the Girard Estates and the Girard College for Orphans, and ask concurrence.

Section first being under consideration,

Mr. Gillingham

Moved that Councils resolve itself into Committee of the whole:

Mr. Hacker, in the Chair.

After some time spent therein, the Committee rose, reported progress, and asked leave to sit again.

Which was agreed to.

Mr. Balch

Presented a new ordinance as an amendment to the one under consideration.

Mr. Hoppel

Moved that the further consideration of the subject be postponed, and that Mr. Balch's bill be printed for the use of the members.

Which was agreed to.

Mr. O'Neill

Presented the following:

The Committee of Conference on the Ordinance relating to Clerks and Messengers, report that they are unable to agree, and ask that the Committee be discharged.

C. B. F. O'NEILL,
THOMAS BALCH.

Philadelphia, August 14, 1854.

The report was accepted and the Committee discharged.

Mr. Gratz

Moved that Council now proceed to the consideration of a supplement to an ordinance, approved the 28th day of July, 1854, entitled "An Ordinance Organizing the Police Department of the City of Philadelphia."

Which was agreed to.

Section first being under consideration,

Mr. Martien

Moved to amend by striking out all after the word "Philadelphia," in the fourth line, repealing the eleventh section of said ordinance.

On this question the yeas and nays were demanded by Messrs. O'Neill and Dougherty.

And being ordered were as follows:

YEAS—Messrs. Abbey, Cresswell, Conrad, Dougherty, Hassinger, Mercer, Martien, Magarge, O'Neill, Parham, Roberts.

NAYS—Messrs. Andress, Austin, Berry, Bishop, Balch, Binder, Butcher, Copeland, Corlies, Crispin, Dunk, Davenport, Dennis, Dubree, Gibson, Griscom, Gillingham, Green, Gratz, Horn, Hacker, Hubbard, Hilles, Moran, Matthews, Manuel, Painter, Preston, Rhoads, Scheetz, Shuster, Stallman, Verree, Wagner, Diehl, *President*.

Yeas 11; nays 35.

Which was not agreed to.

Mr. Dennis

Moved to amend by striking out all which refers to the third section of the ordinance, being "subject to the approval of Councils."

On this question the yeas and nays were demanded by Messrs. Dennis and Painter.

And being ordered, were as follows:

YEAS—Messrs. Bishop, Butcher, Boswell, Copeland, Cresswell, Dennis, Dougherty, Dubree, Griscom, Hubbard, Hilles, Hassinger, Lloyd, Mercer, O'Neill, Parham, Roberts, Stallman.

NAYS—Messrs. Abbey, Andress, Austin, Berry, Balch, Binder, Conrad, Corlies, Crispin, Dunk, Eastwick, Gibson, Gillingham, Green, Gratz, Horn, Hacker, Laws, Moran, Martien, Matthews, Magarge, Newell, Painter, Preston, Rhoads, Scheetz, Shuster, Verree, Wagner, Diehl, *President*.

Yeas, 18; nays, 32.

Which was not agreed to.

On the section as reported, the yeas and nays were demanded by Messrs. Dennis and Hilles.

And being ordered, were as follows:

YEAS—Messrs. Abbey, Andress, Berry, Bishop, Balch, Butcher, Copeland, Conrad, Dunk, Davenport, Dubree, Eastwick, Gibson, Griscom, Gillingham, Green, Gratz, Houseman, Horn, Hacker, Hilles, Laws, Mercer, Moran, Matthews, Newell, Painter, Preston, Rhoads, Shuster, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Binder, Boswell, Cresswell, Corlies, Crispin, Demis, Dougherty, Gay, Hubbard, Hassinger, Lloyd, Martien, Magarge, O'Neill, Parham, Roberts, Scheetz, Stallman.

Yeas, 33; nays, 19.

So the section was agreed to.

Section two being under consideration,

Mr. Crispin

Moved to amend by striking out "\$1,500" on the first line, and insert "\$1,000."

Mr. Abbey

Moved further to amend by inserting "\$1,200."

Which was not agreed to.

On the amendment to strike out "\$1,500," and insert "1,000,"

The yeas and nays were demanded by Messrs. Crispin and Berry.

And being ordered, were as follows:

YEAS—Messrs. Austin, Binder, Cresswell, Corlies, Crispin, Dougherty, Dubree, Gay, Green, Horn, Hubbard, Hassinger, Laws, Manuel, O'Neill, Parham, Painter, Roberts, Scheetz, Shuster, Stallman.

NAYS—Messrs. Abbey, Address, Berry, Bishop, Balch, Butcher, Boswell, Copeland, Conrad, Dunk, Davenport, Dennis, Eastwick, Gibson, Griscom, Gillingham, Gratz, Houseman, Hacker, Hilles, Lloyd, Mercer, Moran, Martien, Matthews, Magarge, Newell, Preston, Rhoads, Verree, Wagner, Diehl, *President*.

Yeas, 21; nays, 32.

Which was not agreed to.

Mr. Laws

Moved further to amend by striking out "\$1,500," and inserting "\$1,100."

Which was not agreed to.

Mr. Griscom

Moved to amend by adding "s" to the word "clerk," on the third line, "and that the salary of the Mayor's Clerk and Marshal's Clerk be each \$1,500, payable quarterly."

Mr. Martien

Moved that the further consideration of the bill be postponed.

Which was not agreed to.

The amendment was not agreed to.

On the section as reported the yeas and nays were demanded by Messrs. Laws and Painter,

And, being ordered, were as follows :

YEAS—Messrs. Andress, Berry, Bishop, Balch, Butcher, Boswell, Copeland, Conrad, Dunk, Davenport, Dennis, Eastwick, Gibson, Griscom, Gillingham, Green, Gratz, Houseman, Hilles, Lloyd, Moran, Martien, Matthews, Manuel, Magarge, Newell, Preston, Rhoads, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Austin, Binder, Cresswell, Corlies, Dougherty, Dubree, Gay, Horn, Hubbard, Hasinger, Laws, Mercer, O'Neill, Parham, Painter, Roberts, Scheetz, Shuster, Verree.

Yeas, 30 ; nays, 20.

The second section was agreed to.

The title was agreed to.

The bill was prepared for a third reading.

The bill by special order being read the third time, it was agreed to.

Mr. Copeland

Moved that Council now proceed to the consideration of the ordinance entitled "An Ordinance to provide for the payment of labor and materials furnished at the Girard Avenue Bridge."

Which was agreed to.

Section first being under consideration,

Mr. Balch

Moved to postpone the further consideration of the bill, and that the contracts relating to the same be printed for the use of the members.

Mr. Griscom

Moved further to amend, by adding the following: "That the whole subject be postponed, and that the Ordinance be referred to the City Solicitor to provide for a proper guarantee on the part of the contractors for the security of the materials and the finishing of the bridge over the Schuylkill at Girard Avenue, and report to Councils."

Which was not agreed to.

Mr. Dennis

Moved further to amend, by substituting the following: "That the Committee on Highways be instructed to confer with the City Solicitor, and direct him to institute such proceedings as shall save the City from further loss by the Hague Contract."

Which was not agreed to.

The question recurring on the original resolution of Mr. Balch,

It was agreed to.

Select Council

Informs this Council that they have passed the following resolution,

And ask concurrence :

Resolved, That the Solicitor be, and is hereby, instructed to have bills made out and served for collection upon the property owners, for payment for paving Washington Street, between Moore and Crammond Streets, in the 24th Ward.

Common Council concurred.

Mr. Eastwick

Moved that Council now proceed to the consideration of the ordinance entitled "An Ordinance to establish and organize the Department of City Surveyors and Regulators."

Which was not agreed to.

Select Council

Inform this Council that they have passed the following resolution,

And ask concurrence :

Resolved, That the Committee on Railroads be requested to inquire into the condition of the several subscriptions of the City to the Hempfield Railroad, North Pennsylvania Railroad, and the Pennsylvania Railroad, and report the same to these Councils at the earliest period.

Common Council concurred.

Also, the following :

Resolved, That the Solicitor of the late District of Penn be, and is hereby, directed to deposit forthwith with the City Solicitor all the books, bonds, contracts, deeds, title papers, accounts, and all other papers and properties in his possession belonging to said District, and to pay over forthwith to the City Treasurer all the money in his hands belonging to the same ; and that the members of the Select and Common Council of the 20th Ward be appointed a committee to examine into the accounts of said Solicitor of the late District of Penn, and report thereon at the earliest period practicable.

Common Council also concurred.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence.

Resolved. That the Committee on Railroads be requested

to examine the books of the Sunbury and Erie Railroad Co., and report to Councils in detail at the first regular meeting in September, the amount of money received, and what amount of receipts has been received from individuals residing in the State of Pennsylvania, and what amount from individuals residing out of the State; and when any subscriptions or any instalments thereon have not been paid to the Company in money, then how it was paid, and what loss has been sustained by such mode of payment.

And, also, the amount that has been paid by the several towns, cities, counties and corporations that have subscribed to the capital stock of the said Sunbury and Erie Railroad Co.; the manner in which such subscriptions have been paid, and the loss, if any, which the Company have sustained by such manner of payment. And, also, whether the \$500,000, paid to the said Company in June last, on the second subscription of the City of Philadelphia, was made at the request of said Company, and by a resolution of the Board of Managers, with a majority of the members, and the President assenting thereto; and whether it has been appropriated to the purpose for which it was paid. And, also, report the amount of money which has been expended by the Company since the first of July, 1853, and the purposes for which it has been paid.

With such other information respecting the liabilities and future prospects of the said Company as they may deem best.

Mr. Balch

Moved the further consideration of the resolution be postponed for the present.

Which was agreed to.

Select Council

Informs this Council that they have passed an ordinance entitled "A Supplement to an Ordinance, approved August 7th, 1854, entitled an Ordinance to provide for the issue of Certificates of Debt of the City of Philadelphia."

And ask concurrence.

Section first being under consideration,

Mr. Boswell

Moved the further consideration of the bill be postponed.

Mr. Giller

Moved to amend, that the bill be referred to the Committee on Finance.

Which was agreed to.

Mr. Gibson

Presented a communication from the Decatur Building and Loan Association, asking for the use of the Commissioners' Hall, Southwark, on Friday evening, 25th inst., for the purpose of holding a meeting.

Which was referred to the Local Committee of that section.

Mr. Gillingham offered the following resolution:

Resolved, That the Marshal of Police be authorized to draw warrants on the City Treasurer in favor of Benjamin Edgar for \$18.75, and in favor of Joseph Jacobs for \$17.87—total \$36.62.

Mr. O'Neill

Moved that the resolution be referred to the Committee on Claims.

Mr. Gillingham

Moved to amend by making it the Committee on Finance.

Which was accepted.

The amendment was afterwards withdrawn, and the resolution twice read and adopted.

The President

Laid before Council the following message from the Mayor:

{ MAYOR'S OFFICE,
{ *Phila. Aug. 14th, 1854.*

To the President of Common Council:

SIR:—I have approved and signed “An Ordinance to make an appropriation for the payment in part of the expense of fitting up the centre portion of the State House building for the meetings of Councils.”

I have also approved and signed a resolution relative to furnishing medals to Captains Creighton, Low and Stouffer.

R. T. CONRAD,

Mayor.

Which was laid on the table,
The hour of seven having arrived,
Council adjourned.

THURSDAY, August 17th, 1854.

Council met—Present,

Messrs. Abbey,

Austin,

Berry,

Bishop,

Balch,

Bumm,

Binder,

Butcher,

Boswell,

Copeland,

Cresswell,

Conrad,

Corlies,

Crispin,

Dunk,

Davenport,

Demis,

Dougherty,

Dubree,

Eastwick,

Gibson,

Grove,

Griscom,

Gillingham,

Green,

Gratz,

Houseman,

Hoffman,

Harper,

Horn,

Messrs. Hacker,

Hubbard,

Hoppel,

Hilles,

Hassingier,

Lloyd,

Larzalere,

Mercer,

Moran,

Martien,

Matthews,

Manuel,

Newell,

O'Neill,

Parham,

Painter,

Preston,

Read,

Randall,

Rhoads,

Roberts,

Schetz,

Shuster,

Smith,

Stallman

Verree,

Watt,

Wickersham,

Wagner,

Diehl, *President.*

Mr. Hoppel

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. O'Neill

Presented memorials from a large number of citizens, asking Councils to purchase the property recently purchased by the late District of Penn, lying between Master and Oxford Streets and Fifteenth and Eighteenth Streets, for a public park.

Mr. Smith

Presented petitions of like import.

Mr. Hacker

Presented petitions of like import.

Mr. Larzalere

Presented petitions of like import.

Which were severally referred to the Committee on City Property.

Mr. Gibson

Presented a petition from residents and owners of property on Ringgold Street between Seventh and Eighth Street, Second Ward, asking that the same may be curbed and paved.

Which was referred to the Committee on Highways.

Mr. Randall

Presented a communication from owners of property on Thompson Street, in the late District of Penn, calling the attention of Councils to the dangerous state of said street in consequence of the suspension of work on the culvert.

Which was referred to the Committee on Highways.

Mr. Smith

Presented a petition from residents and property holders on Walnut Lane, between Wayne Street and German-

town Avenue (Twenty-second Ward), asking that the side walk of said lane may be paved.

Which was referred to the Committee on Highways.

Mr. Smith

Presented a communication from Joseph King, Jr., of the Twenty-second Ward, soliciting the appointment of Surveyor of said Ward.

Which was referred to the Committee on Surveys and Regulations.

Mr. Bumm

Presented a communication from John H. Dye, soliciting the appointment of City Surveyor.

Which was also referred to the Committee on Surveys and Regulations.

Mr. Balch

Presented a communication from Francis Toram soliciting the appointment of City Carpenter.

Which was referred to the Committee on City Property.

Mr. Martien

Presented a communication from A. G. Hines, soliciting the appointment of Commissioner of Highways.

Which was referred to the Committee on Highways.

Mr. O'Neill

Presented a bill of \$1100 from James Martin, for damages his property will sustain by the opening of Richmond Street, between William and Ann Streets, in the late District of Richmond.

Which was referred to the Committee on Finance.

Also,

A bill of Richard W. Eyre, against the late District of Kensington, for the sum of \$88 53½.

Which was referred to the Committee on Finance.

The President

Laid before Councils the following :

PHILADELPHIA, August 17th, 1854.

At a meeting of the Controllors of Public Schools, First District of Pennsylvania, held at the Controllors' Chamber, on Thursday, August 17th, 1854, the following resolution was adopted :

Resolved, That the City Councils be requested to make an appropriation of thirty thousand dollars to this Board for the purpose of paying the outstanding orders of this Board, issued prior to the first of July, 1854.

Extract from the minutes,

R. J. HEMPHILL,
Secretary.

To JOHN H. DIEHL, ESQ.,
President of Common Council.

Which was referred to the Committee on Schools.

Also,

A communication from F. Curran Philpot, soliciting the appointment of Agent of the Girard Estates.

Which was laid on the table:

Also the following :

HEALTH OFFICE, }
Philadelphia, August 14, 1854. }

SIR:—By direction of the Board of Health I herewith transmit a copy of resolutions passed by the Board this day.

Your obedient servant,

SAMUEL P. MARKS,
Clerk.

To JOHN H. DIEHL,
President of Common Council.

Resolved, That the City Burial Ground, Francisville, in its present condition is a nuisance, prejudicial to health,

and that the City Councils be requested to have the nuisance abated forthwith, by requiring the bodies sent there for interment to be decently and properly buried, at least five feet from the surface of the earth, and that not more than two bodies be deposited in one grave, and that the same be filled to the surface immediately after each interment, and if the said nuisance is not removed, to be done by the Health Officer.

Resolved, That the City Councils be requested to adopt immediate measures for the removal of the burial ground at Francisville to some more remote place, and that they discontinue the interment of bodies in said ground as soon as practicable.

Which was referred to Committee on Health.

Also, the following :

Resolved, That this Board direct the Health Officer to pay over to our Treasurer, as formerly, all monies now or coming into his hands; this Board hereby indemnifying him against all actions which may be brought against him for not complying with provisions of Act of Consolidation.

Resolved, That the Councils of the City be notified that until appropriations are made for the purposes of the Board of Health, said Board will, as may become necessary, retain and disburse all monies, the income of this office, and that this course is made imperative on the Board, from the circumstances under which its peculiar organization and duties to the public places it.

Which was referred to the Committee on Law, in conjunction with the City Solicitor.

Also,

A communication from Lucas Hirst, Attorney for Peter Develin, asking to be remunerated for the loss of a horse, in October, 1852, in consequence of the bad condition of the Frankford Road, near the toll gate (in the late District of Richmond).

Which was referred to the Committee on Claims.

Also,

A communication from Thomas Kerr, Alderman of the Seventh Ward, soliciting the appointment of Committing Magistrate.

Which was laid on the table.

Mr. Rhoades

Presented one of like import from John Henry of the Fifteenth Ward.

Which was also laid on the table.

Mr. Horn

Presented a communication from Benjamin Moore, of the Sixteenth Ward, soliciting the appointment of Surveyor.

Which was referred to the Committee on Surveys and Regulations.

Also,

A petition from Residents and Storekeepers on Second Street, between Poplar and Coates, asking Councils to continue the ordinance of the late District of Northern Liberties, authorizing the Saturday night Market, in said street.

Which was referred to the Local Committee of the Eleventh and Twelfth Wards.

Mr. Wickersham, Chairman of the Committee on Finance,

Presented bills for music and powder, for Second Brigade, First Division, P.M., on the 4th of July last, 1854, amounting to \$190.

Which was referred to the Committee on Finance.

Mr. Wagner, Chairman of Committee of Conference, to whom was referred the Ordinance Establishing a Law Department, presented the following:

The Committee of Conference appointed on behalf of Common Council, to whom was referred the Ordinance Establishing a Law Department of the City of Philadelphia, with amendments, beg leave respectfully to report, that

they have attended to their duties under the appointment, and respectfully ask the adoption of the amendment as made by the Common Council, to wit:—In section seventh, third line, by striking out “\$1000” and inserting “\$1200.”

Charles M. Wagner,
Charles Magarge,
C. S. Grove,

The report was adopted.

Mr. Bumm

Presented the following:

To the President and Members of Common Council :

The Committee of Conference in relation to the bill “Establishing the Department of Highways, &c.,” beg leave to make the following report:

That Select Council committee recede from their amendment to the fourth section, (two Commissioners instead of six.)

Section 5. Common Council committee recede from Select Council amendment as to five Supervisors in each of the Twenty-third and Twenty-fourth Wards.

Section 8. Common Council committee recede as to striking out the sixth section.

Section 9. Select Council committee recede as to security of Chief Commissioner, \$4,000 instead of \$10,000.

Section 13. Select Council committee recede as to four watchmen on the permanent bridge.

Section 18. Select Council committee recede as to the salaries :

| | | | | |
|-------------------------------|---|---|---|-----------|
| Chief Commissioner, | - | - | - | \$1,500 |
| Commissioner of Highways, | - | - | - | 1,000 |
| License Clerk, | - | - | - | 1,200 |
| Watchmen on Permanent Bridge, | - | - | - | 500 each. |

Common Council committee recede as to salaries of the Supervisors, \$600 each.

Section 19. Common Council committee recede to

Select Council amendment, in first and second lines "under the direction of Councils."

H. BUMM,
THOS. T. BUTCHER,
CHARLES ABBEY.

Mr. Wickersham,

Chairman of the Committee on Finance, presented the following report:

To the President and Members of the Select and Common Councils:

The Committee on Finance, to whom was referred, on the 11th of August, the following resolution:

Resolved, That the Committee on Finance be, and they are hereby, requested to ascertain whether an appropriation has been made by the late County Commissioners for the purpose of erecting a bridge at the foot of Chestnut Street, across the river Schuylkill; and, if so, the amount of said appropriation, and where the funds were placed by the late County Treasurer, with such other information in relation to this matter as they may deem advisable to communicate to Councils, and report at the next stated meeting.

Beg leave to report that, under an act of the Legislature, approved 27th March, 1852, entitled "An act to authorize the erection of bridges over the river Schuylkill," the County Commissioners were authorized to borrow \$175,000, at a rate of interest not more than six per cent., payable in twenty years. By resolution passed by the County Board, in December, 1852, the County Commissioners were authorized to sell the loan to be issued. Proposals for the loan were asked for, as provided by the act, and it was all sold at par, except \$38,000, upon which a premium of one-half per cent. was obtained. The proceeds from the sale were deposited in the Girard Bank, to the credit of the then County Treasurer, Robert G. Simpson and the County Commissioners. Drafts have been made upon the fund from time to time to meet the payments on account of the Girard Avenue Bridge, and upon the organization of Councils the sum of \$125,000 was to the credit of the County Commissioners and County Treasurer in the Girard Bank, being the

balance of the fund. This sum has been placed to the credit of the City, having been transferred by the late County Commissioners and late County Treasurer, to John Lindsay, City Treasurer, on Tuesday, August 15th.

M. S. WICKERSHAM,
Chairman.

Which report was adopted.

Also, the following:

To the Select and Common Councils of the City of Philadelphia:

The Committee on Finance to whom was referred a supplement to an ordinance approved August 7th, 1854, entitled "An Ordinance to provide for the issue of certificates of debt of the City of Philadelphia," beg leave to report, that they have had under consideration said supplement. Your Committee do not know why said supplement has been introduced into Councils, the original ordinance having been framed and introduced upon mature deliberation. The provisions of those portions of the ordinance which would be repealed by the supplement, are, in the opinion of your Committee, calculated to be of great benefit to the financial position and credit of the City, opening as it doubtless would, the European market to the securities of the City, and placing them, in regard to the payment of the principal and interest, as are those of other Cities and States of this country.

The ordinance, as it now is, fixes a rate, viz: \$5 for each £ sterling, or 25 francs for each \$5 for principal or interest (when paid in London or Paris) upon the sterling or dollar bond, which is equivalent to exchange at 12½ per cent. premium. Now, it being well known to every one, the least familiar with sterling exchange, that the par is about 9½ per cent. premium, which is the average price of exchange year by year. It thus necessarily follows that the advantage that the City would derive would be the difference between the price it paid for the exchange and the amount received for it. So that if the exchange was always bought at 9½ per cent. premium and 12½ per cent. having been received by

the City, the advantage would be rising 3 per cent. annually on the amount of interest; a sum, which if carried to the credit of a sinking fund, established upon the principal of that of the old City of Philadelphia, would amount to in thirty-five years, upon the interest on \$1,000 dollars, to the sum of \$210.58, or in fifty years on the same sum to \$522.57. No inconvenience can be suffered by the City from the condition of the payment of principal and interest in London or Paris, as it will be required that all holders of bonds who desire to have the same payable in either of said cities, to give at least three months notice to the City Treasurer thereof.

With these facts and figures, your Committee see no reason why any alteration should be made in the ordinance, and therefore recommend that the supplement be not adopted.

M. S. WICKERSHAM,

Chairman.

Which report was adopted.

Mr. Wickersham

Moved that Council now proceed to the consideration of the ordinance relating to the same.

Mr. Crispin

Moved the further consideration be postponed, and the ordinance printed for the use of the members.

Which was not agreed to.

The first section being under consideration,

The yeas and nays were called by Messrs. Wickersham and Smith,

And being ordered were as follows:

YEAS—Mr. Shuster.

NAYS—Messrs. Abbey, Austin, Berry, Balch, Bumm, Butcher, Binder, Boswell, Copeland, Cresswell, Crispin, Dunk, Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Grove, Gillingham, Gratz, Houseman, Horn, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Newell, O'Neill, Par-

ham, Painter, Preston, Randall, Roberts, Scheetz, Smith, Stallman, Verree, Watt, Wickersham, Wagner, Diehl, *President*.

Ayes 1 ; nays 49.

Which was not agreed to

Mr. Wickersham

Chairman of the Committee on Finance, presented the following:

Philadelphia, August 17th, 1854.

To the Select and Common Councils:

GENTLEMEN—The undersigned, Committee on Finance, beg leave to report the following ordinance, and ask its adoption:

“An Ordinance to make appropriation for the payment of claims against the City of Philadelphia.”

M. S. WICKERSHAM, *Chairman*.

Mr. Wickersham

Moved that Council now proceed to the consideration of the same.

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

The bill was then, by special order, read a third time and agreed to.

Select Council concurred.

Mr. Crispin

Presented a bill of John Ashton, Supervisor of Delaware Township, in the Twenty-third Ward, amounting to \$268.83, and moved that it be referred to the Committee on Finance.

Which was agreed to.

Mr. Wickersham,

Chairman of the Committee on Finance, presented the following ordinance, and asked its adoption:

“An Ordinance to make an appropriation for the use of the Inspectors of the Prison.”

And moved that Council now proceed to the consideration of the same.

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

The title was agreed to,

And the bill was ordered to be prepared for a third reading.

The bill was then, by special order, read a third time and agreed to.

Also,

“An Ordinance to make an appropriation for the use of the Board of Health.”

Mr. Wickersham

Moved that Council now proceed to the consideration of the same.

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

The title was agreed to,

And the bill was ordered to be prepared for a third reading.

The bill was then, by special order, read a third time and agreed to.

Select Council concurred.

Also,

An ordinance entitled “An Ordinance to make an appropriation for the use of the Guardians of the Poor.”

And moved that Council now proceed to the consideration of the same.

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

The title was agreed to,

And the bill was ordered to be prepared for a third reading.

The bill was then, by special order read a third time, and agreed to.

Select Council concurred.

Mr. Wickersham,

From the Committee on Finance, to whom had been referred the following bills, made the following report:

| | | |
|---------------------------------|---|------------|
| To three several bills for Gas, | } | \$1,693 65 |
| | | 2,157 22 |
| | | 34 77 |
| | | <hr/> |
| Amounting in all to | - | \$3,885 64 |

To be referred to the Committee on Gas.

To ground rent to Gloria Dei Church, in the late District of Southwark, \$44.67.

To be referred to the Local Committee of the First, Second, Third and Fourth Wards.

To McConnell & Lafferty, to extra grading on Broad Street, in the late District of Moyamensing, \$157.96.

To be referred to the same Committee.

To W. De Baufre, for filling and grading in front of Lemon Hill Estate, \$300.

To be referred to the Local Committee of the Thirteenth, Fourteenth, and Fifteenth Wards.

To Miller & Rice, for constructing culvert in the late District of Kensington, \$1,449.

To be referred to the Local Committee of the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards.

To James McCloskey, for work done and materials furnished on Washington Street, in the late District of West Philadelphia, \$5,304.78.

To be referred to the Local Committee of the Twenty-fourth Ward.

To Robert Pickens & Co., for furnishing and laying plank, &c., in the late District of Belmont, \$3,200.

To be referred to the same Committee.

To C. Mason, Superintendent of the Girard Avenue Bridge, for work done and materials furnished during the month of July last, amounting to \$1,320 76.

To be referred to the City Commissioners.

To Samuel Martin, contractor for the third section Girard Avenue, for making excavation on the same, \$1,375.

To be referred to the City Commissioners.

To B. Severson, to constructing iron bridge across Gunner's Run at Queen Street, \$2000.

To be referred to the Committee on Highways.

And ask to be discharged from the further consideration thereof.

Which was agreed to.

Mr. Copeland

Chairman of the Committee on Highways, presented a report with an accompanying ordinance, to make an appropriation to the Department of Highways, Bridges and Cleansing, for grading Girard Avenue, in the Twenty-fourth Ward.

And moved that Council now proceed to the consideration of the bill.

Section first was agreed to.

The title was agreed to.

The bill was ordered to be prepared for a third reading.

The bill, by special order, was read the third time and agreed to.

Also the following :

COMMITTEE ROOM, }
Phila. Aug. 17th, 1854. }

The Committee on Highways, Bridges, Sewers and Cleansing, beg leave to submit the following Ordinance, and ask its adoption.

S. COPELAND,
Chairman.

“An Ordinance to authorize the construction of a certain culvert.”

Section first being under consideration,

Mr. Griscom

Moved to amend, by adding the following:

“And shall be of depth and character conformable to the regulations of the City with regard to culverts, under the supervision of the City Surveyor.”

Which was agreed to.

Mr. Painter

Moved further to amend by recommitting the bill, for the purpose of giving the size of the culvert.

Which was not agreed to.

Section first as amended was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

The bill having been so prepared,

It was, by special order, read the third time and agreed to.

Select Council concurred.

Mr. Dennis

Chairman of the Committee on Gas, presented a report,

with the accompanying ordinance, entitled "An Ordinance to Organize the Department of the Gas Works."

Section first being under consideration,

Mr. Randall

Moved the further consideration of the same be postponed.

- Which was agreed to.

Mr. Eastwick

Moved that Council now proceed to the consideration of the ordinance, entitled "An Ordinance to Establish and Organize the Department of City Surveyors and Regulators.

Which was agreed to.

The amendment of Mr. Balch to section second being under consideration,

It was not agreed to.

Section second was agreed to.

Section third was agreed to.

Section fourth was agreed to.

Section fifth being under consideration,

Mr. Dennis

Moved to amend, by striking out the word "he" on the second line, and insert "by the Committee on Surveys," between "designate" and "a," "or any part;" after the word "whole," "as Councils may direct," on the third line, between the words "City" and "ascertaining."

On this question the ayes and nays were demanded by Messrs. Dennis and Berry.

And being ordered, were as follows:

AYES—Messrs. Berry, Dennis, Dubree, Gibson, Houseman, Hacker, Hassinger, Mercer, Scheetz, Shuster.

NAYS—Messrs. Abbey, Austin, Binder, Butcher, Boswell, Copeland, Cresswell, Conrad, Corlies, Dunk, Davenport,

Dougherty, Eastwick, Grove, Griscom, Gillingham, Gratz, Hoffinan, Horn, Hubbard, Hilles, Lloyd, Larzalere, Moran, Martien, Matthews, Manuel, Newell, Painter, Preston, Randall, Smith, Stallman, Verree, Wagner, Diehl, *President*.

Ayes 10 ; nays 35.

Which was not agreed to.

Section fifth was agreed to.

Section sixth being under consideration,

Mr. Gratz

Moved to amend, by adding "lines" after the word "proper" on the third line, and "proposed" after the word "alterations" on the sixth line, and "of Surveyors" after the word "Board" on the seventh line.

Which was agreed to.

The section as amended was agreed to.

The seventh section being under consideration,

Mr. Gratz

Moved to amend by adding "and plans shall be made," after the word "surveys" in the first line, and "said plans" after the word "Board" in the fifth line, and "thereof" after the word "copy" in the sixth line.

Which was agreed to.

Mr. Griscom

Moved further to amend by adding "and kept open during all business hours to the inspection of all citizens desiring to examine the same," at the end of the section.

Which was agreed to.

The section as amended was agreed to.

The eighth section being under consideration,

Mr. Dennis

Moved to amend by striking out all after the word "office" in the fifth line.

On this question the yeas and nays were demanded by Messrs. Dennis and Hilles,

And being ordered were as follows :

YEAS—Messrs. Austin, Berry, Bishop, Butcher, Davenport, Dennis, Dubree, Gibson, Green, Houseman, Hilles, Mercer, Moran, Preston, Read.

NAYS—Messrs. Abbey, Balch, Bumm, Binder, Boswell, Cresswell, Conrad, Corlies, Dunk, Dougherty, Eastwick, Grove, Griscom, Gillingham, Gratz, Hoffman, Horn, Hubbard, Hoppell, Hassinger, Lloyd, Larzalere, Martien, Matthews, Manuel, Newell, O'Neill, Roberts, Shuster, Verree, Watt, Wickersham, Wagner, Diehl, *President*.

Yeas 15 ; nays 34.

Which was not agreed to.

The eighth section was agreed to.

The ninth section being under consideration,

Mr. Dennis

Moved to amend by striking out “ Chief Engineer or ” where it occurs in the first and second line.

Which was agreed to.

The section as amended was agreed to.

The tenth section being under consideration,

Mr. Houseman

Moved to amend before the word “ the ” in the first line, by adding the following, “ each of the City Surveyors shall employ such number of assistants as the Committee on Surveys may designate.”

Mr. Gratz

Moved an amendment to the amendment, by substituting the following: “ Each District Surveyor shall have the right of appointing and dismissing his own rodman, and also subject to the approval of Select Council of appointing one assistant Surveyor, in case such assistant is deemed necessary by the Chief Engineer, and.”

The amendment to the amendment was accepted.

The amendment was agreed to.

The section as amended was agreed to.

The eleventh section was agreed to.

The twelfth section being under consideration,

Mr. Moran

Moved to amend by adding the following at the end of the section: "To the Surveyor of the proper district, who shall collect and receive all fees, perquisites, or other charges connected with his office, and shall every week make returns under oath or affirmation to the City Controller of all monies received by him, and immediately thereafter pay the same to the City Treasurer."

Which was agreed to.

The section as amended was agreed to.

The thirteenth section being under consideration,

Mr. Verree

Moved to amend by adding "vote" after the word "voce" in the third line.

Which was agreed to.

Mr. Griscom

Moved further to amend by adding the following at the end of the section:

"And as vacancies shall occur, they shall be filled by Councils by appointment in the same manner."

Which was agreed to.

Section as amended was agreed to.

Section fourteenth was agreed to.

Section fifteenth being under consideration,

Mr. O'Neill

Moved to amend in the third line by striking out "\$4,000" and insert "\$3,000," and strike out "\$2,000," on the fourth line, and insert "\$1,500," and on the fifth line strike out "\$1,500" and insert "1,000."

Mr. Dennis

Moved an amendment to the amendment, by striking out "\$4,000," on the third line, and insert "\$2,500."

Which was accepted.

Mr. Hoppel

Moved a division of the question on salaries.

Which was agreed to.

And moved further to amend by making "\$4,000" read "\$3,000," on the first division.

Which was not agreed to.

The amendment of "\$2,500" was not agreed to.

The question recurring on the original resolution,

The yeas and nays were demanded by Messrs. Smith and Copeland,

And being ordered, were as follows:

YEAS—Messrs. Abbey, Bishop, Balch, Conrad, Dunk, Eastwick, Grove, Gillingham, Green, Gratz, Hoffman, Horn, Hoppel, Lloyd, Larzalere, Mercer, Moran, Martien Randall, Roberts, Smith, Verree, Watt, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Bumm, Binder, Butcher, Copeland, Cresswell, Corlies, Davenport, Dennis, Dubree, Gibson, Griscom, Houseman, Hacker, Hubbard, Hilles, Hassinger, Matthews, Manuel, Newell, O'Neill, Painter, Preston, Read, Rhoads, Shuster.

Ayes, 25; nays, 26.

Which was not agreed to.

Mr. Hacker

Moved to amend by striking out "\$4,000," and insert in lieu thereof "\$3,500."

Mr. Dennis

Moved further to amend by inserting "\$2,600."

Which was not agreed to.

The question recurring on Mr. Hacker's amendment, which was \$3,500,

The yeas and nays were demanded by Messrs. Smith and Copeland,

And being ordered, were as follows:

YEAS—Messrs. Abbey, Bishop, Balch, Boswell, Conrad, Dunk, Davenport, Eastwick, Grove, Griscom, Gillingham, Green, Gratz, Houseman, Hoffman, Horn, Hacker, Hoppel, Lloyd, Larzalere, Mercer, Moran, Martien, Newell, Painter, Read, Randall, Roberts, Smith, Verree, Watt, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Bumm, Binder, Butcher, Copeland, Cresswell, Corlies, Dennis, Dubree, Gibson, Hubbard, Hilles, Hassinger, Matthews, Manuel, O'Neill, Preston, Rhoads, Shuster, Wickersham.

Ayes, 33; nays, 20.

Which was agreed to.

On the second division making "\$2,000" read "\$1,500,"

The yeas and nays were demanded by Messrs. Hubbard and Dubree,

And being ordered, were as follows:

YEAS—Messrs. Austin, Bumm, Binder, Butcher, Boswell, Copeland, Cresswell, Dubree, Gillingham, Green, Hubbard, Hassinger, Newell, O'Neill, Preston, Roberts, Wickersham.

NAYS—Messrs. Abbey, Bishop, Conrad, Dunk, Davenport, Dennis, Eastwick, Gibson, Grove, Griscom, Gratz, Houseman, Hoffman, Horn, Hacker, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Painter, Read, Randall, Rhoads, Shuster, Smith, Verree, Watt, Wagner, Diehl, *President*.

Yeas, 17; nays, 34.

Which was not agreed to.

Question recurring on the original resolution,

It was agreed to.

On the third division, making "\$1,500" read "\$1,000,"

Which was not agreed to.

The third division was agreed to.

Mr. O'Neill

Moved to amend by striking out "\$600" and inserting "\$400."

Which was not agreed to.

Section as amended was agreed to.

Section sixteen being under consideration,

Mr. Newell

Moved to amend, on the second line, by adding after the word "two" "or more."

Which was agreed to.

Mr. Wagner

Moved further to amend, on the first line, after the word "and," by adding "City," and on the second line, after "\$5,000," "each."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill by special order, being read the third time, it was agreed to.

Select Council

Informs this Council that they have passed a resolution "that when they adjourn they adjourn to Tuesday next at 3 o'clock," and ask concurrence.

Mr. Green

Moved that Common Council concur.

Which was agreed to.

Mr. Newell

Offered the following resolution :

Resolved, That Common Council now proceed to ballot for six persons as publishers and printers, and three persons as binders and stationers of this branch of Councils.

Mr. Randall

Moved to amend by striking out "ballot" and insert in lieu thereof "*viva voce*."

Mr. O'Neill

Moved the further consideration of the subject be postponed till Tuesday next.

On this question the yeas and nays were demanded by Messrs. Verree and Moran,

And being ordered were as follow :

YEAS—Messrs. Abbey, Austin, Butcher, Boswell, Copeland, Conrad, Dubree, Eastwick, Griscom, Hoffman, Hacker, Hilles, Hassinger, O'Neill, Randall, Smith, Verree, Watt, Wickersham, Wagner.

NAYS—Messrs. Berry, Bishop, Bunn, Binder, Cresswell, Dunk, Davenport, Dennis, Gibson, Grove, Gillingham, Green, Gratz, Houseman, Horn, Hubbard, Hoppel, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Newell, Painter, Preston, Read, Rhoads, Roberts, Shuster, Diehl, *President*.

Yeas 20 ; nays 32.

Which was not agreed to.

Mr. Painter

Moved the previous question, but was not sustained in the call.

Mr. Verree

Moved that Councils now adjourn.

On this question the yeas and nays were called by Messrs. Wickersham and Copeland,

And being ordered were as follows :

YEAS—Messrs. Austin, Berry, Bishop, Butcher, Boswell, Copeland, Conrad, Lernis, Dubree, Eastwick, Grove, Griscom, Houseman, Hoffman, Hacker, Hilles, O'Neill, Preston, Randall, Smith, Verree, Watt, Wickersham, Wagner.

NAYS—Messrs. Abbey, Bunm, Binder, Cresswell, Dunk, Davenport, Gibson, Gillingham, Green, Gratz, Horn, Hubbard, Hoppel, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Newell, Painter, Read, Rhoads, Roberts, Shuster, Diehl, *President*.

Ayes 24 ; nays 28.

Which was not agreed to.

Mr. Randall

Now rose to a question of order, which he stated to be as follows :

The point of order is this. A previous resolution having been adopted by this Council that the Council would stand adjourned at the hour of 7 o'clock, that a motion to adjourn or any other motion is not in order, the House under its own rule being adjourned.

The point of order was not entertained.

Mr. Martien

Now moved to adjourn.

On this question the yeas and nays were demanded by Messrs. Hoppel and Martien.

And being ordered were as follows :

YEAS—Messrs. Berry, Bishop, Butcher, Boswell, Copeland, Conrad, Demis, Dubree, Eastwick, Griscom, Green, Houseman, Hoffman, Hacker, Hilles, Hassinger, Moran, O'Neill, Preston, Read, Randall, Verree, Watt, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Bumm, Binder, Cresswell, Dunk, Davenport, Gibson, Grove, Gillingham, Gratz, Horn, Hubbard, Hoppell, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Newell, Painter, Rhoads, Roberts, Shuster.

Yeas 25; nays 24.

Which was agreed to.

So Council adjourned.

TUESDAY, August 22d, 1854.

Council met, pursuant to adjournment—Present

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Hacker, |
| Andress, | Hoppel, |
| Berry, | Hilles, |
| Bishop, | Hassinger, |
| Balch, | Lloyd, |
| Binder, | Mercer, |
| Butcher, | Moran, |
| Boswell, | Martien, |
| Cresswell, | Matthews, |
| Conrad, | Manuel, |
| Crispin, | Newell, |
| Dunk, | O'Neill, |
| Davenport, | Parham, |
| Dennis, | Painter, |
| Dubree, | Preston, |
| Eastwick, | Randall, |
| Gibson, | Rhoads, |
| Grove, | Roberts, |
| Griscom, | Scheetz, |
| Gillingham, | Shuster, |
| Gay, | Stallman, |
| Green, | Taylor, |
| Gratz, | Watt, |
| Graeff, | Wickersham, |
| Houseman, | Wagner, |
| Hoffman, | Diehl, <i>President.</i> |

Select Council

Informs this Council that they have had under consideration the Ordinance organizing the Department of Water, and had non-concurred in the amendments to the same ;

And appointed a Committee of Conference, consisting of Messrs. Bullock, Hinman, and Kline.

Messrs. Manuel, Hacker, and Newell, were appointed on behalf of Common Council.

Also,

That they have passed the Ordinance relating to the various departments of the City Government, with amendments, and ask concurrence.

The first amendment being under consideration,

Mr. Balch

Moved to amend by introducing the words "except the Mayor."

Which was not agreed to.

On the amendment of the Select Council,

The yeas and nays were demand by Messrs. Crispin and Dennis,

And being ordered, were as follows :

YEAS—Messrs. Balch, Binder, Cresswell, Crispin, Dougherty, Dubree, Griscom, Hassinger, O'Neill, Scheetz, Taylor.

NAYS—Messrs. Abbey, Address, Berry, Bishop, Butcher, Boswell, Conrad, Dunk, Davenport, Dennis, Gibson, Grove, Gillingham, Green, Gratz, Graeff, Houseman, Hoffinan, Hacker, Hoppel, Hilles, Mercer, Moran, Martien, Matthews, Newell, Parham, Painter, Preston, Randall, Rhoads, Stallman, Watt, Wickersham, Wagner, Diehl,
President.

Yeas 11 ; nays 36.

Which was not agreed to.

The second amendment was not agreed to.

The third amendment was not agreed to.

The fourth amendment was agreed to.

The fifth amendment was not agreed to.

The sixth amendment was not agreed to.

Select Council

Informs this Council that they have had under consideration the report of the committee to whom was referred the communication from the Board of Health, on the Thompson Street Culvert, and have passed the resolution thereto annexed, and ask concurrence.

To the Select and Common Council of the City of Philadelphia :

GENTLEMEN :—The undersigned, to whom was referred the communication from the Board of Health, of July eleventh last past, concerning the Thompson Street Culvert, with power to act, would respectfully report,

That understanding that the Board of Health had determined, after their notice as above, to take the matter in their own hands, and as your committee were impressed with the intent to construct said culvert, your committee deferred any action in the premises, awaiting the action of said Board of Health; since then, the Board of Health have filled up various parts of said culvert, in places where the water had collected and stagnated, and have left the matter to stand.

Your committee would state that a portion of the said culvert, on Thompson Street west of Eleventh, for a distance above Twelfth Street, has been excavated to a considerable depth; the banks of the streets were not protected, and, in consequence, the ground is caving in on both sides of Thompson Street, and renders the property in the aforesaid location liable to great damage, arising from a sudden rain or storm, it being the opinion of your committee that the property is in danger of being undermined; and as the season is approaching when it will be highly dangerous to leave the street in its present unsafe condition, and as the only remedy that can be applied is to construct the culvert in said locality, and though your committee were vested with power to act, yet they have considered it proper to submit the matter to Councils before proceeding further.

Your Committee would beg leave to offer the following resolution, and ask its adoption:

Resolved, That the report and resolution be referred to the Committee on Highways, with power to take immediate measures, under advice of the City Solicitor, to cause the construction of the culvert, and that the committee be requested to report, at the next regular meeting of Councils, the measure, they intend to pursue.

All of which is respectfully submitted.

J. L. HUTCHINSON,

Chairman of Committee 20th Ward.

PHILADELPHIA, August 17th, 1854.

The resolution was twice read and agreed to.

So Common Council concurred.

Also,

That they have passed the Ordinance entitled "An Ordinance to make an appropriation to the Board of Inspectors of the Prison, and ask concurrence.

Common Council non-concurred.

Mr. Balch

Presented a communication from residents and property holders on Penn Street, in the Twenty-second Ward, calling the attention of Councils to the bad condition of said street.

Which was referred to the Local Committee of the Twenty-second Ward.

Mr. O'Neill

Presented a communication from J. Cooke Longstreth, attorney for C. Wainwright, relating to a property at the foot of Alleghany Avenue, in the late District of Richmond.

Which was referred to the Committee on Finance.

Mr. Gratz

Offered the following resolution :

Resolved, That the Special Committee of five members of this Chamber, appointed under a resolution adopted the 10th inst., "to inquire into and report forthwith, as to

whether the second instalment due the 1st of August, on the subscription of Mr. Crane and others, to the Sunbury and Erie Railroad has been paid; and, also, to report the present condition of the City subscription to said railroad," be required to examine the books of the Sunbury and Erie Railroad Company, and report to Councils in detail, at the first regular meeting in September, the amount of money received, and what amount of the receipts has been received from individuals residing in the State of Pennsylvania, and what amount from individuals residing out of the State; and when any subscription, or instalment thereon, has not been paid to the Company in money, then how it was paid, and what loss has been sustained by such mode of payment. And, also, the amount that has been paid by the several towns, cities, counties, and corporations that have been subscribed to the capital stock of the Sunbury and Erie Railroad Company, the manner in which such subscriptions have been paid, and the loss, if any, which the Company have sustained by such manner of payment. And, also, whether the \$500,000 paid to the said Company in June last, on the second subscription of the City of Philadelphia, was made at the request of said Company, and by a resolution of the Board of Managers, with a majority of the members and the President assenting thereto, and whether it has been appropriated to the purpose for which it was paid; and, also, report the amount of money which has been expended by the Company since the 1st of July, 1853, and the purposes for which it has been paid, with such other information respecting the liabilities and further prospects of the same Company, as they may deem best, with authority to employ an experienced accountant or accountants in the examination and investigation of the same, and report thereon as early as practicable.

Also,

Resolved, That the Select Council be requested to appoint a Special Committee of five to act in conjunction with the Special Committee heretofore appointed by this Chamber, as a Joint Special Committee on the above resolution.

Which was twice read and agreed to.

Select Council

Informs this Council that hereafter the regular stated meetings of the Committee on City Property will be held the first and third Mondays in each month.

Mr. Gillingham

Presented a communication from victuallers in the several markets in the City, asking that the markets may be closed at 3 o'clock, on Wednesdays and Saturdays, and at 1 o'clock the remaining days of the week.

Which was referred to the Committee on Markets.

The President

Laid before Council a communication from John N. Henderson, (*Appendix No. 52.*) City Controller, relating to an appropriation of \$100,000, made July 14th, 1854, for the payment of Certain Claims for Labor.

Which was laid on the table.

Mr. Bishop

Presented a communication from Heron & Martin, in reference to wharves for the accommodation of the Savannah and Charleston line of steamships.

Which was referred to the Committee on Port Wardens, with power to act.

Mr. Mercer

Offered the following resolution:

Resolved, That in order to prevent imposition upon the citizens and travelling community, by exacting exorbitant charges, the Police Committee be required (at their earliest convenience,) to report an ordinance, with numerical charges as to time and distances, for the better regulation of cabs and other vehicles for hire in the City of Philadelphia.

Which was adopted.

Select Council concurred.

Mr. Abbey

Presented a communication from Samuel M. Tucker, soliciting the appointment of Commissioner of Highways.

Which was referred to the Committee on Highways.

The President

Laid before Councils the following Message from the Mayor:

MAYOR'S OFFICE, }
Phila. Aug. 22d, 1854. }

To the President of Common Council:

SIR:—I have approved and signed the following Ordinances, viz:

“An Ordinance to make an Appropriation for the Payment of Claims against the City of Philadelphia.”

“An Ordinance to Authorize the Construction of a Certain Culvert.”

“An Ordinance to make an Appropriation for the use of the Guardians of the Poor.”

“An Ordinance establishing the Law Department of the City of Philadelphia.”

“An Ordinance to provide for the Care and Management of the Trusts vested in the Corporation of the City of Philadelphia, except the Girard Trust.”

I have also approved and signed the following resolution, viz:

“Preamble and Resolution relative to the Treasurers of the various Corporations.”

R. T. CONRAD,
Mayor.

Which was laid on the table.

Mr. Hoppel

Offered the following resolution:

Resolved, That the Solicitor be directed to take the necessary steps to have Union Street, in Eighteenth Ward, between Franklin Avenue and Duke Street, opened to the use of the City.

Which was adopted.

Mr. O'Neill

Moved to amend by adding "Cherry Street."

Mr. Taylor

Moved further to amend, by adding "Blair Street," from Wood to Harrison.

The amendments were accepted.

And the resolution was twice read and agreed to.

Select Council concurred.

Mr. Wickersham

Offered the following resolution:

Resolved, That the Receiver of Taxes be, and he is hereby authorized to employ six temporary clerks in his office for the period of three months, at a monthly salary of seventy-five dollars each.

On this question the yeas and nays were demanded by Messrs. Taylor and Green,

And being ordered, were as follows:

YEAS—Messrs. Abbey, Andress, Bishop, Butcher, Boswell, Dennis, Grove, Graeff, Hoffman, Hacker, Hilles, Lloyd, Moran, Martien, Painter, Preston, Randall, Watt, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Berry, Balch, Binder, Cresswell, Conrad, Crispin, Dunk, Davenport, Dougherty, Dubree, Eastwick, Gibson, Griscom, Green, Houseman, Hoppel, Hassinger, Mercer, Matthews, Manuel, Newell, O'Neill, Parham, Rhoads, Scheetz, Shuster, Stallman, Taylor.

Yeas, 21; nays, 28.

Which was not agreed to.

Mr. Griscom

Presented a communication from John Leidy Smith, soliciting the appointment of Tobacco Inspector.

Which was referred to the Committee on City Property.

Mr. Martien

Offered the following resolution:

Resolved, That Select Council be informed that Common Council will be prepared to meet them in Convention at the stated meeting on Thursday next, for the purpose of electing a Superintendent of Trusts, in conformity with the ordinance passed 10th instant.

Which was agreed to.

Select Council

Informs this Council that they passed an Ordinance to make an appropriation from the residuary fund of the Girard Estate, to pay taxes for 1854.

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was by special order read the third time and agreed to.

Mr. Hoppel

Offered the following resolution:

Resolved, That the use of the Treasurer's Office of the late District of Kensington, be granted for the use of the Visitor of the Poor for the Sixteenth, Seventeenth, and Eighteenth Wards, until otherwise ordered by Councils.

Which was adopted.

Mr. Gibson

Offered the following resolution :

Resolved, That the Local Committee of the first four Wards be authorized to have Prime Street, from Passyunk Road to Ninth Street, and Thirteenth Street, from Prime to Federal Street, re-paved over the culvert and gas-pipe.

Which was also adopted.

Mr. Grove.

Presented a petition from the Directors of the Public Schools for the sixth section of Philadelphia, asking that provision may be made for accommodations for the use of the Primary School in said section.

Which was referred to the Committee on Schools.

Mr. Griscom

Offered the following resolution :

Resolved, That the Clerk be, and is hereby instructed to procure a sufficient number, and furnish to the members of Select and Common Councils each, a copy of the last edition of the Ordinance and Acts of Assembly relating to the City of Philadelphia, including a copy of the will of Stephen Girard.

Which was adopted.

Mr. O'Neill

Offered the following resolution :

Resolved, That the Secretary be directed to furnish each member of this Council with a copy of the Daily Sun, the Evening Bulletin, Pennsylvanian, Pennsylvania Inquirer, Daily Register, and Sunday Dispatch.

Which was not agreed to.

Mr. Dennis

Moved that Council now proceed to the consideration of the Ordinance to organize the Department of the Gas Works.

Mr. Moran

Moved to amend by striking out "Gas Ordinance," and substitute in lieu thereof the Resolution relating to the purchase of sites for Market Houses.

Which was not agreed to.

The question recurring on the original resolution, it was agreed to.

Mr. Martien

Moved that Council now resolve itself into Committee of the Whole.

Mr. Randall in the Chair;

And remaining so for a short time, reported progress and asked leave to set again.

Which was agreed to.

Mr. Wickersham

Moved that the Ordinance to Organize the Department of the Gas Works be made the special order of the day for Tuesday next.

Which was agreed to.

Mr. Randall

Moved that Council now proceed to the consideration of the amendment he offered at the last meeting to the resolution relative to the election of Printers and Stationers, which was to vote "*viva voce.*"

Mr. Boswell

Moved the further consideration be postponed until next meeting.

Which was not agreed to.

Mr. Gibson

Moved the previous question, and was sustained by the following gentlemen rising in their seats: Messrs. Manuel, Rhoads, Matthews, Lloyd, Berry, Houseman, Gibson, Mercer, Newell and Hoffman.

The question being, shall the main question be now put,

It was agreed to.

On the amendment of Mr. Randall, to vote "*viva voce*" instead of by ballot, the yeas and nays were called by Messrs. Griscom and Randall.

And being ordered, were as follows :

YEAS—Messrs. Balch, Binder, Butcher, Boswell, Conrad, Dougherty, Dubree, Griscom, Gay, Graeff, Hoffman, Hilles, Hassinger, O'Neill, Randall, Roberts, Smith, Stallman, Taylor, Wickersham.

NAYS—Messrs. Abbey, Address, Berry, Cresswell, Dunk, Davenport, Dennis, Eastwick, Gibson, Grove, Gillingham, Green, Gratz, Houseman, Hacker, Hoppel, Lloyd, Mercer, Moran, Martien, Matthews, Manuel, Newell, Parham, Painter, Rhoads, Shuster, Wagner, Diehl, *President*.

Yeas 20; nays 29.

It was not agreed to.

The question recurring on the original resolution,

It was agreed to.

The President

Appointed Messrs. Address and Cresswell tellers.

Mr. Martien

Moved that Council now proceed to ballot for Printers first and Stationers after, and that a recess of five minutes be taken.

Which was agreed to.

Council then re-organized, and proceeded to an election.

Which resulted as follows :

| | | | | | | |
|---------------------|---|---|---|----------|----|--------|
| Jesper Harding | - | - | - | received | 46 | votes. |
| Wallace & Fletcher, | - | - | - | " | 42 | " |
| Alexander Cummings, | - | - | - | " | 38 | " |
| Wm. H. Sickels, | - | - | - | " | 38 | " |

| | | | |
|--------------------------|----------|----|--------|
| J. H. Jones, - - - | received | 35 | votes. |
| Joseph R. Flanigen, - - | “ | 9 | “ |
| Andrew Scott, - - - | “ | 3 | “ |
| J. H. Bryson, - - - | “ | 1 | “ |
| M. S. Benerman, - - - | “ | 1 | “ |
| John Richards, - - - | “ | 1 | “ |
| Swain, Abel & Simmons, - | “ | 2 | “ |
| M. M'Michael, - - - | “ | 40 | “ |
| John Fletcher, - - - | “ | 1 | “ |
| King & Baird, - - - | “ | 5 | “ |
| Joseph Severns, - - - | “ | 4 | “ |
| Wm. Rice, - - - | “ | 4 | “ |
| B. F. Johnson, - - - | “ | 1 | “ |
| Thompson Wescott, - - | “ | 3 | “ |

Jesper Harding, Wallace & Fletcher, Alexander Cummings, Wm. H. Sickels, J. H. Jones and Morton M'Michael having received a majority of the votes, were declared duly elected Printers to the Common Council.

BINDERS AND STATIONERS.

| | | |
|-----------------------------|----|--------|
| A. L. Hough received, - - - | 4 | votes. |
| J. H. Trinkle, Jr., - - - | 36 | “ |
| Clark & Hesser, - - - | 37 | “ |
| Joseph Hufty, - - - | 34 | “ |
| J. B. Smith & Co., - - - | 1 | “ |
| Robert Lindsay, - - - | 1 | “ |
| Wm. H. Maurice, - - - | 4 | “ |
| Andrew Diamond, - - - | 1 | “ |
| Crissy & Markley, - - - | 1 | “ |
| Perry & Erety, - - - | 1 | “ |

J. H. Trinkle, Jr., Clark & Hesser and Joseph Hufty, having received a majority of the votes, were declared duly elected Binders and Stationers to Common Council.

Mr. Martien

Offered the following resolution, viz :

Resolved, That a Special Committee of five be appointed, who shall have the supervision of the Publishing, Printing, Binding and Stationery required by this branch of Councils.

Which was adopted.

The President

Appointed Messrs. Martien, Moran, Shuster, Cowell and Butcher, as that Committee.

Mr. Griscom

Presented the following, and asked that it be entered on the Journal :

In voting for Printers and Binders, under the resolution this day passed by Common Council, I desire to enter my protest against the manner of voting, to wit: by ballot, as it is my opinion that under the Constitution and Laws of the State, such election should be by a *viva voce* vote.

GEORGE GRISCOM.

COMMON COUNCIL CHAMBER, }
Philadelphia, Aug. 22, 1854. }

It was ordered to be entered on the Journal.

Mr. O'Neill

Also, presented the following:

The undersigned members of Common Council, hereby enter their protest against the action of Common Council at their meeting held on Tuesday, August 22, 1854, in electing Printers and Binders by ballot.

1st. Because it is contrary to the spirit, (if not the letter) of the Consolidation Law.

2d. Because it opens a door to corruption and fraud.

3d. Because it conceals from the people the action of their representatives.

C. B. F. O'Neill,
M. J. Dougherty,
James Gay,
Thomas J. Roberts,
D. J. Hassinger,
John Dubree,
Thos. Balch.

The hour of 7 having arrived,
Council adjourned.

THURSDAY, August 24th, 1854.

Council met—Present,

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Bumm,
Binder,
Butcher,
Boswell,
Copeland,
Cresswell,
Conrad,
Corlies,
Davenport,
Dennis,
Dougherty,
Dubree,
Eastwick,
Gibson,
Grove,
Gray,
Griscom,
Gillingham,
Gratz,
Gracif,
Housenan,
Hoffman,

Messrs. Hubbard,
Hoppel,
Hilles,
Hassinger,
Laws,
Lloyd,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Powell,
Parham,
Painter,
Preston,
Randall,
Roberts,
Scheetz,
Shuster,
Smith,
Stallman
Watt,
Diehl, *President.*

Mr. O'Neill

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Grove

Presented petitions from a large number of citizens, asking Councils to secure by early action the property recently purchased by the District of Penn for a Public Park, lying between Master and Oxford Streets.

Which was referred to the Committee on City Property.

Mr. Painter

Presented a memorial from Citizens of the late District of Kensington, remonstrating against the closing of the Franklin Street Market on Saturday evenings.

Which was referred to the Committee on Markets.

Mr. Eastwick

Presented communications from several gentlemen, soliciting the appointment of Surveyor.

Which were severally referred to the Committee on Surveys.

Mr. Butcher

Presented a communication from Messrs. Berkenbine and Trotter, and offered the following resolution (*Appendix No. 53*):

Resolved, That the communication from Messrs. Berkenbine and Trotter, be referred to a joint special committee of three from each chamber, with instructions to obtain all the facts connected with the construction of the West Philadelphia Water Works, and report to Councils.

The resolution was adopted.

The President

Appointed on behalf of Common Council Messrs. Butcher, Dennis and Hilles.

Select Council concurred, and appointed Messrs. Hinman, Miller and Bullock.

Mr. Moran

Presented a communication from Wm. J. Philips, relating to the construction of a line of Magnetic Telegraph between Philadelphia and Norristown.

Which was referred to the Committee on Highways, with power to act.

Mr. Watt

Presented a communication from owners and occupiers of houses in the vicinity of Twentieth and Lombard Streets, asking that a culvert and inlets may be made at the junction of said streets.

Which was referred to the Committee on Highways.

Mr. Abbey

Presented a communication from Richard Park, asking permission to remove a fire plug on the west side of Eleventh Street, between Walnut and Locust Streets.

Which was referred to the Committee on Water Works.

Mr. Binder

Presented a communication from a number of citizens of the Twentieth Ward, recommending Jackson Bardeer for Supervisor of said Ward.

Which was laid on the table.

Mr. Painter

Presented a communication from Wm. Einwechter, Sr., of the Seventeenth Ward, soliciting the appointment of Commissioner of Highways.

Which was laid on the table.

Mr. Davenport

Presented a communication from D. Hudson Shedaker, soliciting the appointment of Surveyor.

Which was referred to the Committee on Surveys.

Mr. Manuel

Presented a communication from Isaac T. Willis, soliciting the appointment of Clerk of Market.

Which was laid on the table.

Mr. Martien

Presented petitions from a number of citizens, asking Councils to secure, by early action, the property recently purchased by the District of Penn for a Public Park, lying between Master and Oxford Streets.

Which was referred to the Committee on City Property.

The President

Laid before Councils a communication from John Lindsay, City Treasurer (*Appendix No. 54*), showing the amount of claims, orders and due bills of the municipalities, districts, boroughs and townships comprising the City of Philadelphia.

Which was referred to the Committee on Finance, with instructions to have it printed for the use of the members.

Also,

A communication from T. Oliver Goldsmith, Coroner, asking for an appropriation of \$1,000.

Which was referred to the Committee on Finance.

Also,

A communication from owners of property on Myrtle Street, between Thirteenth and Broad, asking that conduit pipes, for the introduction of Schuylkill water, may be laid along said Street.

Which was referred to the Committee on Water Works.

Also,

A communication from Alderman W. P. Hibberd, soliciting the appointment of Police Magistrate.

Which was laid on the table.

Also,

A communication from Jacob B. Dehaven, soliciting the appointment of Commissioner of Highways.

Which was laid on the table.

Also,

A communication from George J. Hamilton, soliciting the appointment of Collector of Rents and Repairs of the Girard Estate.

Which was laid on the table.

Also,

A communication from citizens and owners of property on Broad Street, between Poplar and Oxford Streets, asking that gas-pipes may be laid in said street.

Which was referred to the Committee on Gas.

Mr. Copeland

Presented a communication from Spencer Bonsal, soliciting the appointment of Surveyor and Regulator of the Third District.

Which was referred to the Committee on Surveys.

Also, the following:

To the Select and Common Council:

The Committee on Highways, &c., to whom was referred by Councils the following Report and Resolution, (*Appendix No. 55.*)

SAMUEL COPELAND,

Chairman.

Committee Room, August 24, 1854.

Resolved, That Messrs. Ryan, Blackbyrne, and Davis, be required to proceed without delay to construct and build the culvert in Thompson Street, according to their covenants in their contract with the Commissioners of Penn District, dated May 1st, 1854, and that the execution of the same shall be superintended and inspected by the Chief Commissioner of Highways, subject to the supervision of the Committee on Highways, Bridges, Sewers, and Cleansing.

Which was twice read, when

Mr. Gratz

Moved that the further consideration of the same be postponed, and the report and accompanying documents be printed for the use of the members.

Message from Select Council

Informs this Council that they are now ready to meet in convention, for the purpose of electing a Superintendent of Trusts, except the Girard Trust.

Mr. Newell

Moved that all further business be suspended in order to meet Select Council in convention, and proceed with the election of Superintendent of Trusts, except the Girard Trust.

Which was agreed to.

The Messenger

Announced the members of Select Council, who appeared and took their seats, when

Mr. Martien

Nominated Charles Oat for Superintendent of Trusts, except the Girard Trust.

Councils then proceeded to ballot by *viva voce* vote for the same.

There being 65 votes cast, viz:

Select Council:

Messrs. Bullock, Caldwell, Cornman, Duffee, Hague, Hinman, Jones, Nathan L. Keyser, Peter A. Keyser, Kline, Dr. Marselis, Miller, Pratt, Selby, Hy. L. Smith, Wm. S. Smith, Stokes, Thomas, Verree, *President*—19.

Messrs. Abbey, Andress, Berry, Bishop, Balch, Bumm, Binder, Butcher, Boswell, Copeland, Cresswell, Conrad, Corlies, Davenport, Dennis, Eastwick, Grove, Gray, Gillingham, Gratz, Houseman, Hoffinan, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Morau, Martien, Matthews, Manuel, Magarge, Norton, Newell, O'Neill, Parham,

Preston, Randall, Roberts, Scheetz, Shuster, Smith, Watt, Diehl, *President*.

Charles Oat receiving the whole number, was declared elected Superintendent of Trusts, except the Girard Trust.

The members of Select Council then retired.

Message from Select Council

Informs this Council that they will adjourn in fifteen minutes, unless prevented by this Chamber.

Mr. Dennis

Moved that when Councils adjourn, they adjourn to meet on Tuesday next, at 3 o'clock, P. M.

Which was agreed to.

The report and resolution from the Committee on Highways being under consideration,

Mr. Martien

Moved the further consideration of the same be postponed for the present, for the purpose of offering a resolution.

Which was not agreed to.

Mr. Randall

Then called for the previous question, and was sustained by the following gentlemen rising in their seats:

Messrs. Abbey, Berry, Cresswell, Davenport, Gray, Hoffman, Hoppel, Painter, Randall, Watt.

The question being shall the main question be now put, on postponing the report and resolution relating to the Thompson Street Culvert,

The yeas and nays were demanded by Messrs. Copeland and Norton,

And being ordered, were as follows:

YEAS—Messrs. Abbey, Austin, Berry, Bumm, Butcher, Copeland, Cresswell, Corlies, Dubree, Grove, Gray, Griscom,

Graeff, Houseman, Hoffman, Hubbard, Hoppel, Hilles, Laws, Magarge, Painter, Preston, Randall, Smith, Stallman, Watt.

NAYS—Messrs. Andress, Balch, Binder, Boswell, Conrad, Davenport, Dennis, Gillingham, Gratz, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Powell, Parham, Scheetz, Shuster, Diehl, *President*.

Yeas 26 ; nays 25.

Which was agreed to.

On the motion to postpone,

The yeas and nays were called by Messrs. Copeland and Boswell.

And being ordered, were as follows :

YEAS—Messrs. Berry, Balch, Bumm, Binder, Boswell, Davenport, Gibson, Gray, Gillingham, Gratz, Hoppel, Lloyd, Larzalere, Mercer, Moran, Martien, Manuel, Norton, Newell, Powell, Parham, Preston, Randall, Shuster, Watt, Diehl, *President*.

NAYS—Messrs. Abbey, Andress, Austin, Butcher, Copeland, Cresswell, Conrad, Dubree, Grove, Griscom, Graeff, Houseman, Hoffman, Hubbard, Hilles, Hassinger, Laws, Matthews, Magarge, O'Neill, Painter, Scheetz, Smith, Stallman.

Yeas 26 ; nays 24.

Which was agreed to.

Mr. Gratz

Chairman of the Committee on Police, presented the following :

“A further Supplement to an Ordinance approved the 28th of July, 1854, entitled “An Ordinance organizing the Police Department of the City of Philadelphia.”

The undersigned Police Committee, recommend the adoption of the above supplemental ordinance.

EDWARD GRATZ,
Chairman.

The first and only section being under consideration,
Mr. Smith

Moved to amend in the fifth line, by striking out
“\$1,250” and insert “\$1,000.”

Mr. Griscom

Moved an amendment to the amendment, to strike out
“\$1,000” and insert “\$1,500.”

Which was not agreed to.

The amendment was agreed to.

Mr. Martien

Moved further to amend in the fourth line, by striking
out “\$750” and insert “\$650.”

Mr. Butcher

Moved an amendment to the amendment, to strike out
“\$650” and insert “\$700.”

Which was not agreed to.

The question being on the amendment of Mr. Martien,
to strike out “\$750” and insert “\$650.”

The yeas and nays were demanded by Messrs. Dennis
and Address,

And being ordered, were as follows:

YEAS—Messrs. Abbey, Address, Austin, Berry, Balch,
Bumm, Binder, Butcher, Boswell, Cresswell, Corlies, Daven-
port, Dennis, Dubree, Eastwick, Gibson, Grove Gillingham,
Houseman, Hubbard, Hoppel, Hassinger, Lloyd, Larzalere,
Mercer, Martien, Matthews, Manuel, Newell, O’Neill, Par-
ham, Scheetz, Shuster, Stallman, Watt, Diehl, *President*.

NAYS—Messrs. Conrad, Gray, Griscom, Gratz, Graeff,
Hoffman, Hilles, Laws, Moran, Magarge, Norton, Powell,
Painter, Preston, Randall, Smith.

Yeas 36; nays 16.

Which was agreed to.

The section as amended was agreed to,

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill having been so prepared, and on the question "shall this bill pass?" the yeas and nays were demanded by Messrs. Smith and Painter.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Andress, Austin, Berry, Balch, Bumm, Binder, Butcher, Boswell, Cresswell, Corlies, Davenport, Dennis, Dubree, Eastwick, Gibson, Grove, Gillingham, Houseman, Hubbard, Hoppel, Hilles, Hassinger, Laws, Lloyd, Mercer, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Powell, Parham, Roberts, Scheetz, Shuster, Stallman, Watt, Diehl, *President*.

NAYS—Messrs. Conrad, Gray, Griscom, Gratz, Graeff, Hoffman, Larzalere, Moran, Magarge, Painter, Preston, Randall, Smith.

Yeas 40; nays 13.

So the bill was agreed to.

Select Council concurred.

Mr. Smith

From the Committee on Finance, presented the following report, with an accompanying Ordinance :

PHILADELPHIA, August 24, 1854.

To the Select and Common Councils of the City of Philadelphia :

GENTLEMEN:—The undersigned, Committee on Finance, beg leave to report the accompanying bill, entitled, "An Ordinance to make an appropriation to the Controllers of the Public Schools of the First School District of Pennsylvania, for the purpose of defraying the cost of maintaining and managing the Public Schools in the said District, for the year 1854, and ask its adoption.

The report having been read,

Mr. Smith

Moved that the further consideration of the Ordinance be postponed, and printed for the use of the members.

Which was agreed to.

Mr. Newell

Chairman of the Committee on Markets, presented the following:

To the President and Members of the Select and Common Councils:

GENTLEMEN:—The undersigned, Committee on Market Houses, beg leave to submit the annexed Ordinance, and ask its adoption:

ROBERT NEWELL,
Chairman.

The Ordinance having been read,

Mr. Newell

Moved that Council now proceed to the consideration of the Ordinance.

Which was agreed to.

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The fourth section was agreed to.

The fifth section was agreed to.

The sixth section was agreed to.

The seventh section being under consideration,

Mr. Newell

Moved to amend in the second line, by striking out the word "hereafter" and insert "thereafter."

Which was agreed to.

The eighth section being under consideration,

Mr. Matthews

Moved to amend in the fifth line, by striking out "3 o'clock" and insert "5 o'clock."

Mr. O'Neill

Moved an amendment to the amendment by adding "on Mondays only."

Which was not agreed to.

The amendment was agreed to.

Mr. Martien

Moved further to amend in the third line, by striking out the word "reasonable."

Which was agreed to.

The section as amended was agreed to.

Mr. Dennis

Now moved a re-consideration of the vote by which the first section was adopted.

On this question the yeas and nays were demanded by Messrs. Dennis and Hoffman,

And being ordered, were as follows:

YEAS—Messrs. Berry, Balch, Butcher, Cresswell, Conrad, Corlies, Davenport, Dennis, Dubree, Gibson, Gray, Griscom, Houseman, Hoppel, Hilles, Hassinger, Lloyd, Mercer, Moran, Norton, O'Neill, Randall, Roberts, Scheetz, Shuster, Watt, Diehl, *President*.

NAYS—Messrs. Abbey, Bumm, Binder, Boswell, Copeland, Eastwick, Grove, Gratz, Graeff, Hoffman, Hubbard, Laws, Martien, Matthews, Manuel, Magarge, Newell, Powell, Parham, Smith.

Ayes, 27; nays, 20.

Which was agreed to.

The first section being under consideration,

Mr. Hoppel

Moved to amend in the second line, by striking out all

after the word "that" to the word "he" in the third line, and insert "the Commissioner of City Property."

On this question the yeas and nays were demanded by Messrs. Copeland and Newell.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Berry, Balch, Bumm, Butcher, Cresswell, Conrad, Corlies, Davenport, Dennis, Dubree, Gibson, Grove, Griscom, Graeff, Houseman, Hoffman, Hoppel, Hilles, Hassinger, Lloyd, Mercer, Moran, Norton, O'Neill, Randall, Roberts, Scheetz, Shuster, Smith, Watt, Diehl, *President*.

NAYS—Messrs. Binder, Boswell, Copeland, Eastwick, Gratz, Hubbard, Laws, Martien, Matthews, Manuel, Margarge, Newell, Powell, Parham.

Yeas 32; nays 14.

Which was agreed to.

The section as amended was agreed to.

Mr. Hoppel

Moved a re-consideration of the vote by which the fifth section was adopted.

Which was agreed to.

The fifth section being under consideration,

It was not agreed to.

Mr. Norton

Moved a re-consideration of the vote by which the seventh section was adopted.

Which was agreed to.

The seventh section being under consideration,

Mr. Norton

Moved to amend in the sixth line, by adding after the word "disbursements," "this branch of," and adding the same after the word "business" in the third line.

Which was agreed to.

The section as amended was agreed to.

Mr. Randall

Moved to re-consider the vote by which the eighth section was adopted.

Which was agreed to.

The eighth section being under consideration,

Mr. Dennis

Moved to amend by striking out all after the word "direct" in the fourth line.

Which was agreed to.

Mr. Randall

Moved further to amend in the first line, by adding the words "of this branch," after the word "papers."

Which was agreed to.

The section as amended was agreed to.

Mr. Martien

Moved to re-consider the vote by which the fourth section was adopted.

Which was agreed to.

The fourth section was not agreed to.

Mr. Norton

Moved a re-consideration of the vote by which the sixth section was adopted.

Which was agreed to.

The sixth section being under consideration,

Mr. Norton

Moved to amend in the third line, by adding after the word "by," "this branch of."

Which was agreed to.

The section as amended was agreed to.

The ninth section being under consideration,

Mr. 'Neill

Moved to amend in the eleventh line, by striking out "1" and insert "2."

Which was agreed to.

Mr. Moran

Moved further to amend by adding "3d," after the word "2d," in the seventh line.

Mr. Gibson

Moved an amendment to the amendment, "that the Third and Fourth Wards have one clerk."

Select Council

Informs this Council that they have had under consideration the Resolution passed by this Chamber, that when they adjourn, they adjourn to meet on Tuesday next, at 3 o'clock, and have passed the same with the following amendment: strike out 3 P. M., and insert 9 A. M.

Mr. Hoppel

Moved the further consideration of the Ordinance be postponed, for the purpose of considering the resolution as amended by Select Council.

Which was agreed to.

And moved to amend the amendment of Select Council by striking out "9 A. M." and insert "2 P. M."

Which was not agreed to.

Mr. Martien

Moved further to amend by striking out "9 A. M." and insert "from 9 A. M. until 9 P. M."

Which was not agreed to.

And moved further to amend by striking out "9 A. M." and insert "5 P. M."

Mr. Moran

Moved an amendment to the amendment by inserting
"6 P. M."

Which was not agreed to.

The amendment was not agreed to.

So Common Council non-concurred.

Mr. Hoppel

Offered the following resolution:

Resolved, That Councils meet at 5 o'clock P. M., every day except Sunday, until the 8th of September, for the purpose of organizing the various departments of the City government.

Which was read twice and not agreed to.

Councils then proceeded to the further consideration of the Ordinance establishing the Department of Market Houses, when

Mr. Balch

Moved the further consideration of the same be postponed, for the purpose of offering a resolution.

Which was not agreed to.

The ninth section being under consideration,

Mr. Boswell

Moved that the further consideration be postponed, for the purpose of offering a resolution.

Mr. O'Neill

Moved to amend by adding "several members to offer resolutions."

Which were severally not agreed to.

Mr. Moran

Moved that the further consideration of the bill be postponed for the purpose of taking up the resolution relating to the purchase of sites for Market Houses.

Which was not agreed to.

The ninth section being again under consideration,

Mr. O'Neill

Moved the further consideration of the same be postponed, and re-committed to the Committee for correction.

Which was agreed to.

Mr. Martien

Moved that when we adjourn we adjourn to meet tomorrow at 3 o'clock, P. M.

Mr. Norton

Moved to amend, by striking out "to-morrow," and insert "Tuesday next."

Which was agreed to.

Mr. O'Neill

Offered the following preamble and resolution, viz:

Whereas, This Council has been informed by the Chairman of the Committee on Police, that the Mayor's Clerk has in his hands sundry fees, amounting to four hundred dollars, and upwards, belonging to this City:

Therefore, be it

Resolved, That the Mayor's Clerk be directed to pay into the City Treasury all fees, &c., belonging to the City, which is now in his possession.

Which being under consideration,

Mr. Boswell

Moved that the resolution be postponed for the present.

Which was agreed to.

Mr. Binder

Offered the following resolutions, viz:

Resolution requiring the late Solicitors and Clerks to settle their accounts and terminating the duties of their offices.

Resolved, That the Controller be, and he is hereby directed to audit and settle the accounts of the Solicitors and Clerks of all the late Districts and Boroughs of the City of Philadelphia, as consolidated by the Act of Assembly, passed February 15, 1854; and the said Clerks and Solicitors be, and they are hereby required forthwith to deliver to the City Solicitor all books, accounts, deeds, papers, vouchers, lien claims, and all and every description of property whatsoever in their possession, belonging to the late Districts and Boroughs, and pay over all monies received by them to the City Treasurer.

Resolved, That the duties of the several officers named in the foregoing resolution, shall terminate on the first day of September, 1854, and their several salaries shall be paid in full to that date.

Which was read twice and postponed for the present.

The hour of 7 having arrived,

Council adjourned.

TUESDAY, August 29th, 1854.

Council met, pursuant to adjournment—Present,

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Horn, |
| Austin, | Hubbard, |
| Berry, | Hoppel, |
| Bishop, | Hilles, |
| Balch, | Hassinger, |
| Bumm, | Lloyd, |
| Butcher, | Larzalere, |
| Boswell, | Mercer, |
| Copeland, | Moran, |
| Cowell, | Martien, |
| Cresswell, | Matthews, |
| Conrad, | Manuel, |
| Corlies, | Norton, |
| Crispin, | Newell, |
| Dunk, | Parham, |
| Davenport, | Preston, |
| Demis, | Read, |
| Dougherty, | Randall, |
| Dubree, | Rhoads, |
| Eastwick, | Roberts. |
| Gibson, | Stuart, |
| Gray, | Scheetz, |
| Griscom, | Shuster, |
| Gillingham, | Stallman, |
| Gay, | Verree, |
| Green, | Wickersham, |
| Gratz, | Wagner, |
| Graeff, | Diehl, <i>President.</i> |
| Houseman, | |

Mr. Crispin

Moved that Council now proceed to the consideration of the Supplement, as passed by Select Council, to an ordi-

nance, approved July 18th, 1854, entitled "An Ordinance to Levy and Fix the Rate of Taxes for the year 1854."

Which was agreed to.

Section first being under consideration,

Mr. Martien

Moved to amend, by striking out all after the enacting clause, and insert the following :

"That the Overseers of the Poor in the districts within the Twenty-first, Twenty-second, and Twenty-third Wards, be and they are hereby authorized and directed to draw their warrants on the City Treasurer quarterly, for the cost of supporting the poor in their various districts, they first submitting an account of such expenses attested by them, and by the Committee of Poor of said districts (under oath or affirmation) to the City Controller."

On this question the yeas and nays were demanded by Messrs. Hoppel and Martien.

And being ordered, were as follows :

YEAS—Messrs. Butcher, Boswell, Davenport, Eastwick, Green, Hoppel, Lloyd, Larzalere, Moran, Martien, Matthews.

NAYS—Messrs. Abbey, Austin, Berry, Bishop, Balch, Copeland, Cresswell, Conrad, Corlies, Crispin, Dunk, Dennis, Dubree, Gibson, Gay, Houseman, Horn, Hilles, Hassinger, Mercer, Manuel, Norton, Parham, Preston, Read, Randall, Stuart, Scheetz, Shuster, Stallman, Verrec, Wickersham, Wagner, Diehl, *President*.

Yeas 11; nays 34.

Which was not agreed to.

The first and only section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

It was then by special order read the third time and passed.

So Common Council concurred.

Council, by special order, then resumed the consideration of the "Ordinance to Organize the Department of the Gas Works," in Committee of the whole.

Mr. Randall in the chair.

After remaining so for some time the committee rose, and asked leave to sit again.

Which was not agreed to.

Section first being under consideration,

Mr. Martien

Moved to amend, by filling the blank in the third line with "September."

Which was agreed to.

Mr. Newell

Moved that the further consideration of the bill be postponed.

Mr. Norton

Moved further to amend, by adding the following: "That the bill be re-committed to the Committee, with instructions to introduce a proviso, placing the department under the direction of a Board of Trustees, as under existing ordinances."

Which was not agreed to.

The question to postpone was not agreed to.

The section was agreed to.

Section second being under consideration,

Mr. Newell

Moved to amend, by filling the blank in the second line with "\$50,000."

Mr. Wickersham

Moved further to amend, by striking out "50,000," and insert "200,000."

Which was not agreed to.

The amendment was agreed to.

The section as amended was agreed to.

Section third being under consideration,

Mr. Gay

Moved to amend in the eleventh line, after the word "supervision," by adding the following: "and report to Councils if they disapprove of the same."

Which was not agreed to.

Mr. Eastwick

Moved further to amend, by striking out all after the word "therefor" in the ninth line, to the word "supervision" in the eleventh line, inclusive.

On this question the yeas and nays were demanded by Messrs. Balch and Newell

And being ordered, were as follows:

YEAS—Messrs. Austin, Balch, Bumm, Cresswell, Corlies, Eastwick, Gracff, Hoppel, Hassinger, Moran, Newell, Parham, Preston, Scheetz, Stallman, Verree, Wickersham, Wagner.

YEAS—Messrs. Abbey, Berry, Bishop, Butcher, Boswell, Copeland, Cowell, Conrad, Dunk, Davenport, Dennis, Dougherty, Dubree, Gibson, Gray, Griscom, Green, Gratz, Houseman, Horn, Hubbard, Hilles, Lloyd, Larzalere, Mercér, Martien, Matthews, Manuel, Norton, Read, Randall, Rhoads, Stuart, Shuster, Diehl, *President*.

Ayes, 18; nays, 35.

Which was not agreed to.

Mr. Abbey

Moved further to amend, by striking out the word "supervision" in the eleventh line, and insert in lieu thereof "inspection."

Which was agreed to.

Mr. Wagner

Moved further to amend in the third line, by adding after the word "manufacture," "and distribution."

Which was agreed to.

The section as amended was agreed to.

The fourth section being under consideration,

Mr. Eastwick

Moved to amend, by striking out all after the word "but" in the second line, to the word "officer" in the third line, inclusive.

Which was not agreed to.

The section was agreed to.

Section five was agreed to.

Section six being under consideration,

Mr. Newell

Moved to amend in the second line, by striking out "August and February," and insert in lieu thereof "October and April."

Mr. Wickersham

Moved an amendment to the amendment, by inserting "January and July," and "January" instead of "February" in the eighth line.

Which was agreed to.

The section as amended was agreed to.

Section seven being under consideration,

Mr. Matthews

Called for a division of the question on the officers.

Which was granted.

The first division, "three assistant engineers" being under consideration,

Mr. Randall

Moved to amend in the fourth line, by striking out "three" and insert "two."

Mr. Matthews

Moved an amendment to the amendment, by inserting "one."

Which was agreed to.

The second division was agreed to.

The third division was agreed to.

The fourth division was agreed to.

The fifth division was agreed to.

The sixth division was not agreed to.

The seventh division being under consideration,

Mr. Wagner

Moved to amend by striking out "third class" and insert "second class."

Which was agreed to.

The eighth division was agreed to.

The ninth division was agreed to.

The tenth division was not agreed to.

The eleventh division was agreed to.

The twelfth division was agreed to.

The thirteenth division was agreed to.

The section as amended was agreed to.

Section eighth being under consideration,

Mr. Norton

Moved to amend in the fourth line, after the word "daily," by adding the following, "by the Chief Engineer, under oath or affirmation," and in the fifth line, by striking out "paid" and insert in lieu thereof, "he shall pay the same," and in the third line, after the word agents, by adding the following, "and upon his responsibility."

Mr. Gratz

Moved further to amend, in the fourth line, after the word "engineer," by adding "agent or agents."

Which was agreed to.

Mr. Norton

Moved further to amend by striking out all of the section after the word "Treasurer," in the fifth line.

Which was agreed to.

The amendment was agreed to.

The section as amended was agreed to.

Section ninth being under consideration,

Mr. Newell

Moved to amend by introducing here the following as the ninth section:

"The Chief Engineer shall make, or cause to be made, a map or plan of the City, showing the sizes and positions of all mains, pipes, and drips, that may now or may be necessary for the supply of gas, and hand over to his successor in office all books and papers connected with this department. He shall give his undivided attention to the duties of this department, and shall not engineer or furnish materials to any other works, and shall hold no other office of profit or emolument in any company, corporate or otherwise."

Mr. Randall

Moved an amendment to the amendment by striking out all after the word "department," in the fourth line.

Which was agreed to.

The amendment was agreed to.

The section as amended was agreed to.

Mr. Martien

Moved to postpone the further consideration of the bill for the purpose of offering a resolution.

Which was not agreed to.

Section nine (now ten) being under consideration,

Mr. Norton

Moved to amend by striking out the date, in the fifth line, and adding "City Controller" in the thirteenth line.

Which was agreed to.

The section as amended was agreed to.

Section eleventh was agreed to.

Section twelfth being under consideration,

Mr. Gillingham

Moved that the further consideration of the bill be postponed, for the purpose of receiving a Message from the Mayor.

Which was not agreed to.

Mr. Wickersham

Moved to amend by striking out the first and second lines, and insert the following:

"That the provisions of an Ordinance of the Corporation of the Mayor, Aldermen, and Citizens of Philadelphia, passed October 6, 1836, entitled 'An Ordinance for the protection of the Philadelphia Gas Works,' be and is hereby."

Which was agreed to.

Section as amended was agreed to.

Section thirteenth was agreed to.

Section fourteenth being under consideration,

Mr. Randall

Called for a division of the salaries.

Which was granted.

The First Division being under consideration,

Mr. Newell

Moved to amend, by striking out "\$4,500," and insert "\$3,500."

Mr. Hoppel

Moved an amendment to the amendment, by inserting "\$3,000."

On this question the yeas and nays were demanded by Messrs. Moran and Dennis.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Berry, Bumm, Butcher, Cowell, Cresswell, Corlies, Dubree, Gibson, Gray, Griscom, Gillingham, Gay, Green, Hubbard, Hoppel, Hassinger, Martien, Matthews, Newell, Parham, Read, Roberts, Wickersham.

NAYS—Messrs. Bishop, Boswell, Conrad, Davenport, Dennis, Eastwick, Gratz, Horn, Hilles, Lloyd, Larzalere, Mercer, Moran, Norton, Randall, Rhoads, Stuart, Shuster, Wagner, Diehl, *President*.

Yeas 24; nays 20.

Which was agreed to.

The amendment was agreed to.

The Second Division being under consideration,

Mr. Randall

Moved to amend, by striking out "3" and insert "1."

Which was agreed to.

Mr. Larzalere

Moved further to amend, by striking out "\$1200" in the fourth line, and insert "\$2,000."

Mr. Eastwick

Moved an amendment to the amendment, by inserting "\$1500."

Which was not agreed to.

The amendment was not agreed to.

The Second Division was agreed to.

The Third Division was agreed to.

The Fourth Division was agreed to.

The Fifth Division was agreed to.

The Sixth Division was agreed to.

The Seventh Division was not agreed to.

The Eighth Division being under consideration,

Mr. Wagner

Moved to amend in the tenth line, by striking out "third," and insert "second."

Which was agreed to.

Mr. Lloyd

Moved further to amend, by striking out "\$600," and insert "\$700."

Which was agreed to.

The Ninth Division was agreed to.

The Tenth Division was not agreed to.

The Eleventh Division was agreed to.

The Twelfth Division was agreed to.

The Thirteenth Division was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill, by special order, was read the third time and agreed to.

The President

Laid before Council the following communication from the Mayor :

MAYOR'S OFFICE,)
August 29th, 1854.)

To the President of Common Council :

SIR:—I have this day approved and signed the following Ordinances, viz :

An Ordinance entitled “ An Ordinance to make an appropriation from the income of the Girard Estate, for the payment of taxes for the year one thousand eight hundred and fifty-four.”

An Ordinance entitled “ An Ordinance to establish and organize the Department of City Property.”

An Ordinance entitled “ A Further Supplement to an Ordinance approved the 28th of July, 1854, entitled An Ordinance organizing the Police Department of the City of Philadelphia.”

An Ordinance entitled “ An Ordinance establishing the Department of Highways, Bridges, Sewers, and Cleansing of the City.”

An Ordinance entitled “ An Ordinance to make an appropriation for the use of the Board of Health.”

R. T. CONRAD,
Mayor.

The President

Presented a communication, signed Edward Gratz, extending an invitation to the members, clerks, officers and reporters of this Chamber, to visit his place on Wednesday afternoon at 4 o'clock.

Which invitation was accepted.

Mr. Mercer

From the Special Committee to whom was referred the resolution to make inquiry by what authority the Southwark Railroad Company run Locomotives on Washington Street, through the Second Ward, made report, (*Appendix No. 56.*)

Which being under consideration,

Mr. Randall

Moved the further reading be dispensed with, and that the report be printed for the use of the members.

Mr. Martien offered the following resolution :

Resolved, That Select Council be informed that this Council will be prepared to meet them in Convention on Thursday next, for the purpose of nominating and electing the following : Commissioner of City Property, Chief Commissioner of Highways, six Commissioners of Highways, Police Magistrates for the several Police Districts, and to receive the returns for Supervisors from the members of Councils to be returned to the Mayor for appointment.

Which was twice read and agreed to.

Mr. Hoppel offered the following resolution :

Resolved, That Councils hereafter meet on every day, except Saturdays and Sundays, at six o'clock, P. M., until the various departments of City government shall have been thoroughly organized ; and at all meetings of Councils, except at the meetings on Thursdays, no resolutions, petitions, communications, or businsss of any kind, except business emanating from or relating to the organization of the said departments, shall be in order.

Which, on motion of Mr. Stuart, was laid upon the table.

Mr. Bishop offered the following resolution :

Resolved, That the Committee on Port Wardens, Public

Landings, &c., be authorized to employ three engineers or surveyors, to run out the wharf line, as per the provisions of the Act of Consolidation, section twenty-eight.

Which was read, and pending the consideration thereof,

The hour of seven having arrived,

The President

Declared the Council adjourned.

THURSDAY, August 31st, 1854.

Council met—Present,

Messrs. Abbey,
 Andress,
 Austin,
 Berry,
 Bishop,
 Balch,
 Bumm,
 Binder,
 Butcher,
 Boswell,
 Copeland,
 Cowell,
 Cresswell,
 Conrad,
 Corlies,
 Dunk,
 Davenport,
 Dennis,
 Dougherty,
 Dubree,
 Eastwick,
 Gibson,
 Giller,
 Grove,
 Gray,
 Griscom,
 Gillingham,
 Gay,
 Green,
 Gratz,
 Graeff,
 Houseman,
 Hoffman,
 Harper,

Messrs. Horn,
 Hacker,
 Hoppel,
 Hilles,
 Hassinger,
 Laws,
 Lloyd,
 Larzalere,
 Mercer,
 Moran,
 Martien,
 Matthews,
 Manuel,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Pomeroy,
 Parham,
 Painter,
 Preston,
 Read,
 Randall,
 Rhoads,
 Stuart,
 Scheetz,
 Shuster,
 Smith,
 Stallman,
 Taylor,
 Verree,
 Watt,
 Wickersham,
 Wagner,
 Diehl, *President.*

Mr. Hoppel

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Mercer

Presented a communication from C. S. Close, soliciting the appointment of City Surveyor.

Which was referred to the Committee on Surveys.

Mr. Moran

Presented petitions from a large number of citizens, asking Councils to purchase the Gratz Estate for a Public Park.

Which was referred to the Committee on City Property.

Mr. Gibson

Presented a communication from R. F. & G. K. Bancroft, relating to a contract made by them with the late District of Southwark, for the erection of an iron railing around the Jefferson Public Square.

Which was referred to the Committee on Finance.

Mr. Green

Presented a communication from Jonathan Eggleton, of the Eighteenth Ward, soliciting the appointment of Surveyor.

Also,

A communication from Edward L. Spain, of the Nineteenth Ward, of like import.

Which were severally referred to the Committee on Surveys.

Mr. Martien

Moved to suspend the rules for the purpose of going into consideration of the resolution passed at the last meeting, informing Select Council that this Council will be

prepared to meet them in Convention on Thursday next, for the purpose of nominating and electing the following, viz:— Commissioner of City Property, Chief Commissioner of Highways, Six Commissioners of Highways, Police Magistrates, and to receive the returns for Supervisors from the members of Councils, to be returned to the Mayor for appointment.

Which was agreed to.

Mr. Martien

Moved to amend the resolution, by adding Superintendent of City Railroad.

Which was agreed to.

Mr. Hassinger

Moved further to amend, by striking out all that relates to the “return of Supervisors to the Mayor for appointment.”

Which was agreed to.

Mr. Martien

Moved further to amend, by striking out “Thursday next,” and insert in lieu thereof, “this day.”

Which was agreed to.

The resolution as amended was agreed to.

Mr. Larzalere

Presented a communication from George Welsh, of the Twentieth Ward, soliciting the appointment of Superintendent of Franklin Square.

Which was laid on the table.

Mr. Giller

Presented a communication and report from Thomas S. Stewart and James A. Campbell, selected by the County Commissioners and Robert E. Shultze, to ascertain if the said R. E. Shultze had complied with the terms of his contract in the erection of the County Prison Hospital.

Which was referred to the Committee on Finance.

Mr. Randall

Presented a communication from a number of citizens, recommending Dr. Rufus Bicknell, of the Twenty-fourth Ward, for Commissioner of Highways.

Which was laid on the table.

Mr. Boswell

Presented a bill from Thomas B. Welch, amounting to \$1150, for furnishing dies on steel, steel bands, &c., for the medals to be presented to Captains Creighton, Low and Stouffer.

Which was referred to the Committee on Finance.

Mr. Wickersham

Presented a communication from John Lindsay, City Treasurer, relating to the cancelling of so much of the certificates of loan of certain Corporations as are held as part of their respective sinking funds, with full particulars of the same, &c.

Which was ordered to be printed, (*Appendix No. 57.*)

Mr. Gillingham

Presented a petition from a number of citizens living on Elk Street, between Cohocksink Creek and Otter Street, asking that the said Street may be cleaned and paved as soon as possible.

Which was referred to the Committee on Highways.

Also,

A petition asking that the water pipes may be laid on said Elk Street, two hundred feet south of Otter Street.

Which was referred to the Committee on Water Works.

Also,

A communication from Wm. T. McNeely, calling the attention of Councils to the manner in which the curb-stones have been set in Charlotte Street, north of Franklin Avenue.

Which was referred to the Local Committee of the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards, with power to act.

Mr. Wickersham

Presented a communication from John M. Coleman, County Treasurer, stating that M. Bicking, Collector of County Tax for 1853, in Roxborough Township, has overpaid his duplicate to the amount of \$802 42.

Which was referred to the Committee on Finance.

Mr. Gibson

Presented a petition from a number of citizens of the Fourth Division of the Second Ward, asking that the Precinct House in said Division may be changed from the house of Joseph L. Smith, at the northwest corner of Second and Washington Streets, to the house of T. H. Waram, at the northwest corner of Jefferson Avenue and Washington Street.

Which was referred to the Committee on Law.

The President

Laid before Councils a communication from Charles Oat, tendering Joseph Oat and Joel Reeves, as his sureties.

Which was referred to the City Solicitor.

Also,

A communication from Jacob S. Haas, of the Twentieth Ward, soliciting the appointment of Market Commissioner.

Which was laid on the table.

Also,

A communication from James E. Montgomery, Civil Engineer, soliciting the appointment of Assistant City Surveyor, together with letters of recommendation from J. Edgar Thompson, Edward Miller and Wm. B. Foster, Jr., Civil Engineers.

Which was referred to the Committee on Surveys.

Also,

A petition from owners of property on Wood Street, between Norris Street and Frankford Road, asking that the water pipes may be laid in said Street.

Which was referred to the Committee on Water Works.

Also,

A communication from several citizens and property owners in the late District of Spring Garden, recommending Englebert Mintzer for Commissioner of Highways.

Which was laid on the table.

Also,

A communication of like import from the Commissioners of the late District of Spring Garden.

Which was also laid on the table.

Mr. Grove

Presented a communication from a large number of residents on Second Street, between Market and Vine Streets, asking for a change in the time of cleansing said Street.

Which was referred to the Committee on Highways.

Mr. Wickersham

Chairman of the Committee on Finance, presented the following report:

COMMITTEE ROOM, }
August 31st, 1854. }

The Committee on Finance beg leave to submit the accompanying resolution relative to the Treasurers of the Corporations consolidated into the City of Philadelphia.

M. WICKERSHAM,

Chairman.

A resolution to require the City Solicitor to compel Treasurers to settle their accounts and make payment to the City Treasurer of balances in their hands.

Resolved, That the City Solicitor be required to institute legal proceeding to compel the Treasurers of the Cor-

porations (who have not complied with the resolution of Councils, approved August 18th, 1854,) which, by the Act of February 2d, 1854, were consolidated into the City of Philadelphia, to settle their accounts forthwith, and make payments of all monies in their hands as Treasurers aforesaid, to the City Treasurer.

Which was read twice and agreed to.

The title was agreed to.

Also, the following :

An ordinance entitled "An Ordinance to make an appropriation to the Department of the City Treasurer."

Mr. Wickersham

Moved that Council now proceed to the consideration of the same.

Which was agreed to.

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was then, by special order, read a third time, and agreed to.

Select Council concurred.

Also, the following :

An ordinance entitled "An Ordinance to make an appropriation for the payment of Claims against the City of Philadelphia."

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was, by special order, read the third time and agreed to.

Select Council concurred.

Mr. Wickersham

Chairman of the Finance Committee, made report, accompanied with an ordinance, (*Appendix No. 58,*) to provide a sinking fund for the redemption of the debt of the City of Philadelphia.

The ordinance being read, it was ordered to be printed for the use of the members.

Which was agreed to.

Mr. Gratz

Chairman of the Committee on Police, presented the following report :

To the Select and Common Councils of the City of Philadelphia.

GENTLEMEN:—The Police Committee to whom was referred sundry applications for the introduction of the Fire Alarm Telegraph, respectfully report :

That in consequence of the absence of the patentees of the Fire Alarm Telegraph at the last meeting of your Committee, a sub-committee was appointed to make all the necessary examinations and inquiries relative to this subject and report thereon to your Committee. On the 24th instant that sub-committee met, and we herewith append (marked A.) their report. We fully concur with that Committee, that to determine its utility with certainty, its practical operation should be seen and carefully examined into, and recommend the adoption of the following resolution :

Resolved, That Thomas Balch, Wm. S. Smith, Wm. Moran, George Griscom and H. C. Pratt be, and they are hereby authorized and requested to visit New York and Boston at their earliest convenience, for the purposes set forth in the above report of the Police Committee, and that of sub-committee (marked A.)

EDWARD GRATZ,

And majority of the Committee.

Which was read, and being under consideration,

Mr. Griscom

Moved to amend, to add at the end of resolution, "and that the Chairman of the Police Committee have power to fill vacancies."

Which amendment was agreed to.

Mr. Moran

Moved further to amend, "That Mr. Martien be added to the Committee."

Which was also agreed to.

And the resolution as amended was agreed to.

Select Council concurred.

Report of the Sub-Committee, marked A.

To EDWARD GRATZ, ESQ., Chairman of Police Committee,

SIR:—The sub-committee to whom was referred the question of the Fire Alarm Telegraph, respectfully report:

That they have had the patentees before them, and have heard the explanation of the details and working of the Telegraph now used in Boston, but your Committee are satisfied that no proper and satisfactory report upon the subject can be made without a full and careful examination of a telegraph actually working.

The Committee, therefore, recommend that the Police Committee, or a sub-committee, be appointed to visit Boston and New York, and to examine the Telegraphs now in operation in those Cities, and report thereon.

Thomas Balch,
Wm. S. Smith,
Wm. Moran,
George Griscom.

PHILADELPHIA, August 24th, 1854.

Mr. O'Neill offered the following resolution:

Resolved, That a Special Committee of five be directed to inquire into, and report of, and concerning all the facts

and circumstances connected with the appropriation for the Chestnut Street Bridge.

Which was read, and being under consideration,
Mr. Boswell

Moved to amend, by substituting the following :

A Joint Resolution relative to free bridges over the river Schuylkill, and other matters connected therewith.

Resolved, That a Joint Special Committee of three members from each Chamber be appointed to examine into and report thereon, as early as practicable, such matters as they may deem expedient in relation to, or in connection with the proceedings of the County Commissioners, late County Treasurer, County Board, and others, under the Act of Assembly passed the 27th of March, 1852, entitled "An Act to authorize the erection of Free Bridges over the Schuylkill." How the loan authorized in said act was disposed of? when and to whom sold? at what premium, if any? or if for cash or otherwise? and upon what condition the whole of said loan, or any part thereof was taken? When, where, and how the proceeds from the sale of said bonds were used? Why the bridge across the river at Girard Avenue, has not been finished, according to the terms of the contract made and entered into? when the several payments were made to the Contractor or Contractors of the Girard Avenue Bridge, and upon whose estimates the payments were made? and why the County bonds were sold before the necessary arrangements were made for the construction of the bridges, the payment for which they were to be issued? And further, why the bridge at or near Chestnut Street, has not been constructed?

Which amendment was agreed to.

And the resolution as amended was agreed to.

And the President appointed, on the part of Common Council, Messrs. Boswell, O'Neill and Griscom.

Mr. Newell presented the following :

To the Common Council of the City of Philadelphia :

The undersigned, Committee of Conference relative to

the difference in the "Organization of the Department of Water," beg leave to state that they were unable to agree, and wish to be discharged.

Jos. Manuel, Jr.,
Robert Newell,
Wm. P. Hacker.

COMMITTEE ROOM, *August 31st, 1854.*

The report was adopted, and the Committee discharged.

Mr. Hoffman offered the following resolution:

Resolved, That the Committee on Railroads be requested to inquire what representation, if any, these Councils are entitled to in the Board of Directors of North Pennsylvania and Northwestern Railroad Companies, and report at their second stated meeting in September.

Which was twice read and agreed to.

Select Council concurred.

Mr. Bishop offered the following resolution:

Resolved, That the Committee on Railroads be instructed to inquire of the Directors of the Pennsylvania Railroad by what authority the President and Chief Engineer attended the Convention recently held in New York; and further, what arrangements were made by them in relation to the tariff of rates for passengers and freight on the said road, and report at the second stated meeting in September.

Mr. Wickersham

Moved to amend after the word road, the following:
"what effect the arrangements entered into will have upon the interests of the mercantile community of Philadelphia."

Which was agreed to.

The resolution as amended was agreed to.

Select Council non-concurred.

Mr. Binder

Called for the reading of the resolution, page 370 of the Journal.

Resolution requiring the late Solicitors and Clerks to settle their accounts, and terminating their duties as officers.

Resolved, That the Controller be, and he is hereby directed to audit and settle the accounts of the Solicitors and Clerks of all the late Districts and Boroughs of the City of Philadelphia, as consolidated by the Act of Assembly, passed February 15th, 1854, and the said Clerks and Solicitors be, and they are hereby required, forthwith, to deliver to the City Solicitor, all books, accounts, deeds, papers, vouchers, lien claims, and all and every description of property whatsoever, in their possession, belonging to the late Districts and Boroughs, and pay over all monies received by them to the City Treasurer.

Resolved, That the duties of the several officers named in the foregoing resolution shall terminate on the first day of September, 1854, and their several salaries shall be paid in full to that date.

Which was read, when

Mr. Giller

Moved to amend by inserting the following between the first and second resolutions:

Resolved, That in case the several Solicitors and Clerks of the late Districts and Boroughs of the City of Philadelphia shall fail to comply with the terms of the foregoing resolution, within one week from the passage hereof, it shall become the duty of the City Solicitor to take such measures as shall compel prompt action therein.

Which amendment was agreed to.

Mr. Binder

Moved to further amend the resolution by adding at the end thereof the following:

“And that the Mayor be, and he is hereby directed, after the passage of the resolutions, to issue a proclamation forthwith, dismissing all the Solicitors, Treasurers and Clerks of the late Districts and Boroughs.

Which was agreed to.

And the resolutions as amended were agreed to.

Mr. Houseman offered the following resolution :

Resolved, That the Committee on Highways be instructed to have the following streets in the First Ward paved by contract, viz: Dickerson and Gardette Streets, from Jefferson Avenue to Fourth Street; Franklin Street, from Third to Sixth Street; Hazel Street and Cottage Street, from Second to Front Street.

Which was twice read and agreed to.

Mr. Wickersham

Presented a communication from Frederick Fraley, President of the Board of Trustees of the Philadelphia Gas Works, together with several quarterly bills for gas consumed by the late Districts of the Northern Liberties, Moyamensing, West Philadelphia, and the Marshal of Police Station House in Adelphi Street.

Which was referred to the Committee on Gas.

Mr. Gibson offered the following resolution:

Resolved, That the Committee on Police be instructed to report, at the next meeting of Councils, what action, if any, has been taken upon the resolution offered August 10th, page 294 of the Journal, relative to the adoption of some suitable badge for the use of the Police.

Which was read twice and adopted.

Message from Select Council

Informs this Council that they will not be able to meet in joint convention to-day for the purpose of electing Heads of the Departments.

Mr. Gratz

Moved that Councils now proceed to the consideration of the report and "resolution" of the Committee on Highways, relative to the Thompson Street Culvert, to be found on page 80 of the Appendix to the Journal.

Which was agreed to, and

Also,

Moved to amend the same by striking out all after the word "Resolved," and insert the following:

"That the Commissioner of Highways and the District Surveyor of the Twentieth Ward, under the supervision and direction of the Committee on Highways, be, and they are hereby authorized and directed to construct the culvert on Thompson Street from Broad Street, thence east to Sixth Street, agreeably to the plans and specifications of the said culvert as prepared by Henry Haines, Esq., Surveyor of the late District of Penn, or with such alterations or modifications in the plan thereof as the Committee on Highways, the Chief Surveyor or the Ward Surveyor may agree on, with authority to employ such competent artizans and laborers and provide such necessary materials for the construction thereof as will secure the completion of the same on or before the first day of December, 1854."

On this question the yeas and nays were demanded by Messrs. Hoffman and Norton.

And being ordered, were as follows:

YEAS—Messrs. Berry, Bumm, Binder, Boswell, Cowell, Demis, Eastwick, Gibson, Gillingham, Green, Gratz, Harper, Hacker, Hoppel, Lloyd, Larzalere, Morau, Martien, Matthews, Manuel, Newell, Parham, Rhoads, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Andress, Bishop, Copeland, Cresswell, Conrad, Corlies, Davenport, Dubree, Grove, Griscom, Gay, Hoffman, Horn, Hilles, Hassinger, Laws, Mereer, Magarge, Norton, O'Neill, Painter, Read, Randall, Stuart, Shuster, Watt, Wickersham.

Yeas 26; nays 28.

Which was not agreed to.

Mr. Martien

Moved that the further consideration of the subject be postponed, for the purpose of offering a resolution relative to the meetings of Councils.

On this question the yeas and nays were demanded by Messrs. Hoppel and Painter.

And being ordered, were as follows:

YEAS—Messrs. Andress, Bumm, Binder, Boswell, Cowell, Cresswell, Davenport, Dennis, Eastwick, Gibson, Gillingham, Green, Gratz, Hacker, Hoppel, Hilles, Lloyd, Mercer, Moran, Martien, Matthews, Manuel, Newell, Parham, Rhoads, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Abbcy, Berry, Bishop, Copeland, Conrad, Corlies, Dubree, Grove, Griscom, Gay, Hoffman, Harper, Horn, Hassinger, Laws, Larzalere, Magarge, Norton, O'Neill, Painter, Read, Randall, Stuart, Shuster, Watt, Wickersham.

Yeas 28; nays 26.

Which was agreed to.

Mr. Martien then offered the following resolution:

Resolved, That Select Council be informed that Common Council will hold an adjourned meeting on Tuesday afternoon next, at three P. M., for the purpose of electing the Heads of Departments, as provided for by the resolution passed this day.

Mr. Wickersham

Moved to amend by adding the following at the end of the resolution, "and for other business."

Which was agreed to.

The resolution as amended was agreed to.

Mr. Gillingham

Moved that Common Council do now adjourn.

On this question the yeas and nays were demanded by Messrs. Wickersham and Laws,

And being ordered, were as follows:

YEAS—Messrs. Berry, Balch, Bumm, Binder, Boswell, Cowell, Davenport, Dennis, Eastwick, Gibson, Gillingham,

Green, Gratz, Harper, Hacker, Hoppel, Lloyd, Larzalere, Mercer, Moran, Martien, Manuel, Newell, Parham, Read, Rhoads, Stuart, Verree, Wagner.

NAYS—Messrs. Abbey, Andress, Bishop, Copeland, Cresswell, Corlies, Dubree, Grove, Griscom, Gay, Hoffman, Horn, Hilles, Hassinger, Laws, Matthews, Magarge, Norton, O'Neill, Painter, Randall, Shuster, Watt, Wickersham, Diehl, *President*.

Yeas 28 ; nays 25.

Which was agreed to.

So Common Council adjourned.

TUESDAY, September 5th, 1854.

A special meeting of Common Council was held this day—Present,

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Bumm,
Boyle,
Binder,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Conrad,
Corlies,
Crispin,
Dunk,
Davenport,
Dennis,
Dubree,
Eastwick,
Gibson,
Giller,
Gray,
Griscom,
Gillingham,
Gay,
Gratz,

Messrs. Houseman,
Hoffman,
Horn,
Hacker,
Hubbard,
Hoppel,
Hassinger,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Norton,
Newell,
O'Neill,
Pomeroy,
Painter,
Graeff,
Preston,
Read,
Randall,
Stuart,
Scheetz,
Shuster,
Stallman,
Watt,
Wickersham,
Wagner,
Diehl, *President.*

The resolution relative to the Thompson Street Culvert, offered by the Chairman of the Committee on Highways, &c., at the last meeting, being under consideration,

Mr. Hoppel

Moved to amend by striking out all after the word "Resolved," and insert in lieu thereof the following:

"That the Chief Commissioner of Highways be, and he is hereby authorized and instructed to award the said Thompson Street Culvert to the lowest bidder, as per tabular statement hereunto annexed, (*Appendix, page 37,*) agreeably to the plans and specifications, terms and conditions, as set forth in the notices inviting proposals for the construction of said culvert, issued in March last, demanding thereupon satisfactory security for the faithful performance of the contract, in conformity with any Ordinance now or that may hereafter be in force, applicable to the construction of culverts; and, in default of such satisfactory security, to award it to the next lowest bidder, upon the same terms and conditions, and so on until the same is allotted: *Provided,* That no allotment be made, unless the obligation to complete the same be on or before the first of January, 1855."

The amendment being under consideration for a considerable length of time, and causing a protracted discussion,

Mr. Stuart

Moved the previous question, and was sustained by the following gentlemen rising in their seats:

Messrs. Cresswell, Balch, Abbey, O'Neill, Crispin, Pomeroy, Watt, Gibson, Gay and Stuart.

The question being shall the main question be now put,
It was agreed to.

The main question being the amendment offered by Mr. Hoppel.

On this question the yeas and nays were demanded by Messrs. Hoffman and Norton,

And being ordered, were as follows:

YEAS—Messrs. Berry, Balch, Bumm, Binder, Boswell, Cowell, Dunk, Dennis, Eastwick, Gibson, Gray, Gillingham, Gratz, Hacker, Hoppel, Moran, Martien, Matthews, Manuel, Newell, Pomeroy, Preston, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Address, Austin, Bishop, Butcher, Copeland, Cresswell, Conrad, Corlies, Crispin, Davenport, Dubree, Giller, Griscom, Gay, Houseman, Hoffman, Horn, Hubbard, Hassinger, Norton, O'Neill, Painter, Randall, Stuart, Scheetz, Stallman, Watt.

Yeas 25 ; nays 27.

The amendment was not agreed to.

The question recurring on the original resolution,

The yeas and nays were called by Messrs. Hoppel and Gillingham.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Address, Austin, Bishop, Copeland, Cresswell, Conrad, Corlies, Crispin, Davenport, Dubree, Eastwick, Griscom, Gay, Houseman, Hoffman, Horn, Hubbard, Hassinger, Mercer, Norton, O'Neill, Painter, Read, Randall, Stuart, Scheetz, Stallman, Watt, Wickersham.

NAYS—Messrs. Berry, Balch, Bumm, Binder, Boswell, Cowell, Dunk, Dennis, Gibson, Giller, Gray, Gillingham, Gratz, Hacker, Hoppel, Moran, Martien, Matthews, Manuel, Newell, Powell, Pomeroy, Preston, Wagner, Diehl, *President*.

Yeas 30 ; nays 25.

Which was agreed to.

Mr. Copeland

Moved that Council now proceed to the consideration of the communication from George W. Brown, relative to the purchase of sites for Market Houses.

Which was agreed to.

The amendment offered by Mr. Boswell, to appoint a Joint Special Committee of five from each Chamber, being under consideration,

It was subsequently withdrawn.

Mr. Newell

Moved further to amend, by referring the whole matter to the Committee on City Property.

Which was agreed to.

Select Council

Informs this Council that they have passed an ordinance to make an appropriation to the Department of Highways, Bridges, Sewers and Cleansing, and have amended the title as follows: "An Ordinance for the Payment of Expenses of Grading Girard Avenue."

Common Council concurred in the amendment.

Mr. Balch

Presented the following protest, and asked that the same may be entered on the Journal.

*Protest against a Resolution passed 5th of September, 1854,
as to the Thompson Street Culvert.*

We, the undersigned, respectfully protest against so much of said resolution as gives to the Committee of Highways a supervision of the work on said Thompson Street Culvert, because they believe that such supervision to be illegal and leading to corruption.

George W. Pomeroy,
Anson Gray,
Wm. Moran,
Edward Gratz,
R. P. Gillingham,
A. F. Hoppel,
H. Bumm,
Wm. P. Hacker,
Charles M. Wagner,
Joseph Manuel, Jr.,
John F. Preston,
George A. Binder,
Wm. Matthews,
J. W. Martien,
Joseph M. Cowell,
Thomas Balch.

Common Council, Sept. 5th, 1854.

The protest was ordered to be entered on the Journal.

Mr. Bishop

Moved that Council now proceed to the consideration of the Ordinance to Organize the Department of Wharves and Landings.

Which was agreed to.

Section fourth being under consideration,

Mr. Wagner

Moved to amend on the first line, after the word "lease," by inserting the following: "at public auction, under the supervision of the Committee on Port Wardens, Public Landings and Wharves, the several".

Mr. Norton

Moved an amendment to the amendment, by adding, "except the Ferry Landings."

Which was agreed to.

The amendment was agreed to.

Mr. Wickersham

Moved further to amend, on the eighth line, by striking out all after the word "but," to the word "Councils" on the ninth line inclusive.

Which was agreed to.

Mr. Balch

Moved further to amend on the sixth line, by striking out all after the word "shall" to the word "wharves," on the seventh line inclusive.

Which was not agreed to.

The section as amended was agreed to.

Section fifth being under consideration,

Mr. Wagner

Moved to amend on the fourth line, after the word "manner," by inserting the following: "And in which

books of accounts he shall cause to be entered, in a fair, legible hand, an accurate description of all the wharves, landings and docks belonging to the City, accompanying each description therein with a plan or draft showing the exact dimensions of each wharf, landing and dock.

Which was agreed to.

The section as amended was agreed to.

Section sixth being under consideration,

Mr. Norton,

Moved to amend on the third line, by striking out the word "by", and insert in lieu thereof, the word "for".

Which was agreed to.

The section as amended was agreed to.

Section seventh being under consideration,

Mr. Martien

Moved to amend on the eighth line, by striking out "2 P.M." and insert "3 P.M."

Which was agreed to.

The section as amended was agreed to.

Section eighth was agreed to.

Section ninth was agreed to.

Section tenth being under consideration,

Mr. Bishop

Moved to fill the blank with "\$800."

Mr. Martien

Moved to amend by striking out "\$800," and inserting "\$1000."

Mr. Cowell

Moved an amendment to the amendment, that "\$1200" be inserted.

Which was not agreed to.

The question now being on the amendment of Mr. Martien, to insert "\$1000," the yeas and nays were demanded by Messrs. Wickersham and Martien.

And being ordered, were as follows:

YEAS—Messrs. Berry, Boyle, Butcher, Cowell, Corlies, Gibson, Giller, Gillingham, Gratz, Hacker, Hoppel, Martien, Norton.

NAYS—Messrs. Abbey, Address, Austin, Bishop, Balch, Bumm, Binder, Cresswell, Conrad, Crispin, Dunk, Davenport, Dennis, Dubree, Eastwick, Gray, Griscom, Gay, Houseman, Horn, Hubbard, Hassinger, Mercer, Moran, Matthews, Manuel, Newell, O'Neill, Powell, Pomcroy, Painter, Read, Randall, Stuart, Shuster, Stallman, Wickersham, Wagner, Diehl, *President*.

Yeas 13; nays 39.

Which was not agreed to.

The question recurring on the original resolution, to insert "\$800."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

The bill was prepared for a third reading.

The bill, by special order, being read the third time,

It was agreed to.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence:

Resolved, That a Joint Committee of three be appointed to draft and report joint rules for the government of the Select and Common Councils, and that the said Committee of each branch prepare and report rules for the branches of Councils respectively;

And have appointed Messrs. Cornman, Miller, and Stokes.

Common Council concurred, and appointed Messrs. Norton, Green and Crispin.

Mr. Bishop

Moved that Council now proceed to the consideration of the resolution offered by him at a former meeting, (see page 383 of the Journal,) authorizing the Committee on Port Wardens, Public Landings, &c., to employ three engineers to run out the Wharf line.

Which was agreed to.

The resolution was read twice, and not agreed to.

Mr. Hacker

Presented an Ordinance entitled "An Ordinance to make an Appropriation to the Clerks of Councils, for the purposes therein mentioned," and moved that Council now proceed to the consideration of the same.

Which was agreed to.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for the third reading.

The bill, by special order, being read the third time,

It was agreed to.

Select Council concurred.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence:

Resolved, That the Clerks of Councils be directed to furnish to each member a copy of the Digest of the Ordinances of the old city, so far as published, and also a copy of the Ordinances since passed: *Provided*, a sufficient number of copies of the same are now in possession of the Law Department, and that the name of each member be placed thereon.

Mr. Griscom

Moved to amend by adding "A Copy of the last edition of Purdon's Digest."

Mr. Gratz

Moved an amendment to the amendment, by adding "Hume's History of England."

Which was not agreed to.

The amendment of Mr. Griscom was then withdrawn.

The question recurring on the resolution, as passed by Select Council,

It was not agreed to.

So Common Council non-concurred.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence :

Resolved, That the Committee of Finance be and are hereby instructed to report an Ordinance at the next meeting of Councils, making appropriation to pay the clerks and assistants in such of the departments as are now organized.

Which was twice read, and agreed to.

So Common Council concurred.

Also,

That they have had under consideration the following resolution :

Resolved, That the Local Committee of the first four wards be authorised to have Prime Street from Passyunk Road to Ninth Street, and Thirteenth Street from Prime to Federal Street, repaved over the culvert and gas pipe."

And have passed the same with the following amendment, and ask concurrence :

"Also Fifth Street from Wharton to Franklin Street, by the Superintendent of Paving."

Common Council concurred.

Select Council

Informs this Council that they insist on their amendments in the bill entitled "An Ordinance relating to the

various Departments of the City Government," to wit: in the first and eleventh sections, and have appointed a Committee of Conference, consisting of Messrs. Hinman, W. S. Smith, and Duffee.

Messrs. Wickersham, Andress, and O'Neil, were appointed on behalf of Common Council.

Also,

That they have passed the following resolution, and ask concurrence:

Resolved, That a joint special committee of three from each Council be appointed to prepare and arrange the business which has been submitted to Council, in such manner and form as they may deem most expedient to promote and facilitate the despatch of the same, and have appointed Messrs. Hutchinson, Hinman, and Hague.

Common Council concurred, and appointed Messrs. Matthews, Wagner, and Conrad.

Mr. Wickersham

Moved that Council now proceed to the consideration of the Ordinance to Provide a Sinking Fund for the Redemption of the Debt of the City of Philadelphia.

Which was not agreed to.

And also,

Moved that Council now proceed to the consideration of the Ordinance to make an Appropriation to the Controllers of Public Schools of the First School District of Pennsylvania, for the purpose of defraying the cost of maintaining and managing the Public Schools in said District for the year 1854.

Mr. Wagner

Moved that Council do now adjourn.

On this question the yeas and nays were demanded by Messrs. Wickersham and Gillingham.

And being ordered, were as follows:

YEAS—Messrs. Berry, Davenport, Dubree, Gibson Gray, Houseman, O'Neill, Powell, Parham, Preston.

NAYS—Messrs. Abbey, Address, Austin, Bishop, Balch, Boyle, Binder, Butcher, Boswell, Copeland, Cresswell, Conrad, Corlies, Crispin, Dunk, Dennis, Eastwick, Giller, Griscom, Gillingham, Gay, Gratz, Horn, Hubbard, Hassinger, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, Read, Stuart, Shuster, Wickersham, Diehl, *President*.

Yeas 10 ; nays 27.

Which was not agreed to.

Section first being under consideration,

Mr. Boswell

Moved that the consideration of the same be postponed, and that the bill and the whole matter in the hands of the Committee of Finance be referred to the Committee on Schools.

Which was agreed to.

Mr. Gillingham offered the following resolution:

Resolved, That the Select Council be invited to meet this Council in convention on Thursday next, for the purpose of nominating and electing three Engineers or Surveyors to run out the wharf line as per the provisions of the Act of Consolidation, Section 28.

Which was twice read, and not agreed to.

Mr. Address

Moved that Council do now adjourn.

Which was agreed to.

THURSDAY, September 7th, 1854.

Council met—Present,

Messrs. Abbey,
Austin,
Berry,
Bishop,
Balch,
Boyle,
Bumm,
Butcher,
Boswell,
Copeland,
Cresswell,
Conrad,
Corlies,
Cowell,
Davenport,
Dennis,
Dougherty,
Dubree,
Dunk,
Eastwick,
Gibson,
Giller,
Grove,
Gray,
Griscom,
Gillingham,
Gratz,
Graeff,
Hacker,
Houseman,
Hoffman,
Hoppel,

Messrs. Hubbard,
Hilles,
Hassinger,
Lloyd,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Parham,
Painter,
Pomeroy,
Preston,
Randall,
Rhoads,
Roberts,
Schetz,
Shuster,
Smith,
Stallman,
Stuart,
Verree,
Wagner,
Watt,
Wickersham,
Diehl, *President.*

Mr. Hoppel

Moved that the reading of the Journal be dispensed with.

Mr. Rhoads

Presented a communication from R. T. McCarter, soliciting the appointment of Commissioner of Highways.

Which was laid on the table.

Mr. Smith

Presented a communication from property holders on Thompson Street, asking that the said street may be opened from Apple to Sixth Street.

Which was referred to the Committee on Highways.

Mr. Gibson

Presented a petition from a number of citizens, asking Councils to purchase a tract of land of sixty acres, situated on the Rope Ferry Road, south of Passyunk Road, known as the Girard Homestead, for a Public Park.

Which was referred to the Committee on Law.

Mr. Norton

Presented a bill of G. Harris, for one quarter's rent of Station House on South Third Street, for \$37 50.

Which was referred to the Committee on Finance.

Mr. Bishop

Presented a communication from a large number of citizens, recommending Wm. H. C. Riggs for Superintendent of the State House Clock.

Which was referred to the Committee on City Property.

Mr. Hilles

Presented a communication from Robert Ferguson, Superintendent of Gas of Frankford, asking for a larger supply of gas in that section.

Which was referred to the Committee on Gas.

Mr. Gratz

Presented a petition from a number of citizens on the south side of Girard Avenue, between Tenth and Eleventh Streets, asking that gas pipes may be laid on said Avenue without delay.

Which was referred to the Committee on Gas.

Mr. Corlies

Presented a petition from a number of citizens, asking Councils to have the two squares of ground dedicated by the Messrs. Norris, in the year 1848, to the District of Kensington, planted with trees, and a rail fence placed around them.

Which was referred to the Committee on City Property.

The President

Laid before Councils the following :

CONTROLLER'S OFFICE, }
Philadelphia, August 29th, 1854. }

To the Common Council of Philadelphia.

GENTLEMEN:—In accordance with the Act of February 2d, 1854, entitled "An Act to Incorporate the City of Philadelphia," it becomes my duty to inform your honorable body that an appropriation of one hundred thousand dollars for payment of claims against the City of Philadelphia, was approved August 19th, and since that time, payments have been made in accordance with said Ordinance to the amount of one hundred thousand dollars. Several accounts yet remain unsettled. The Treasurers of the various Districts are settling their accounts, and as soon as the same shall be completed, Councils will be informed of the same.

Respectfully, yours,

JOHN N. HENDERSON,

City Controller.

The communication was referred to the Committee on Finance.

The President

Laid before Councils a communication from George Carter, asking that a pump on Charlotte Street near Cohock-sink Creek may be repaired.

Which was referred to the Local Committee of the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards.

Also,

A communication from J. M. Mitchel & Bro., calling the attention of Councils to the present condition of Callow-hill Street Wharf, it having been used since the first day of the lease (for a depot of *street dirt* and manure) with the Commissioners of the late District of the Northern Liberties, in express violation of the conditions of said lease.

Which was referred to the Committee on Port Wardens.

Also,

A communication from F. Hopkinson, soliciting the appointment of Assistant Surveyor for his son, A. Hamilton Hopkinson.

Which was referred to the Committee on Surveys, &c.

Mr. Wickersham

From the Committee on Finance, submitted a report accompanied with an Ordinance entitled "An Ordinance to provide for the Renewal of Lost Certificates of Debt of the City of Philadelphia," and moved that Council do now proceed to the consideration of the same.

Which was agreed to.

The first section being under consideration,

Mr. Balch

Moved to amend by adding "That the City Treasurer be empowered."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

It was then, by special order, read a third time and agreed to.

Mr. Wickersham

From the Committee on Finance, presented a report and resolution to authorize the City Treasurer to employ temporary clerks.

Resolved, That the City Treasurer be, and is hereby authorized to employ two clerks for the space of three months, at a monthly salary of \$75 each.

Which was read, when

Mr. Hoppel

Moved that the further consideration of the same be postponed, for the purpose of offering a resolution.

Which was agreed to.

Mr. Hoppel then offered the following resolution:

Resolved, That as it is expedient that the various departments of City Government should be organized immediately, the clerk be directed to inform Select Council that this Council is now prepared to meet them in convention to elect a Commissioner of City Property and Commissioner of Highways.

Which was twice read and adopted.

Council then resumed the consideration of the resolution offered by Mr. Wickersham.

Which was again read and adopted.

The title was agreed to.

Mr. Copeland,

From the Committee on Highways, presented the following:

To the Select and Common Councils of the City of Philadelphia:

The Committee on Highways, &c., beg leave to submit the accompanying Ordinance, and ask its adoption.

SAMUEL COPELAND,
Chairman.

Committee Room, September 7th, 1854.

“An Ordinance to fix the regulation of ascents and descents, and the width of the footway and cartway of Gold Street, between Second and Dock Streets.”

Mr. Copeland

Moved that Council do now proceed to the consideration of the same.

The first section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill, by special order, was read the third time and agreed to.

Select Council concurred.

Also, the following:

To the Select and Common Council:

The Committee on Highways, &c., beg leave to submit the accompanying ordinance, and ask its adoption.

SAMUEL COPELAND,
Chairman.

Committee Room, September 7, 1854.

“An Ordinance to make an appropriation to the Department of Highways, Bridges, Sewers and Cleansing the City; for the payment of labor to be performed on the Girard Avenue Bridge.”

Mr. Copeland

Moved that Council do now proceed to the consideration of the same.

Which was agreed to.

The first section being under consideration,

Mr. Balch

Moved that the further consideration of the subject be postponed.

Mr. Boswell

Moved an amendment to the amendment, "and printed for the use of the members."

Which was accepted.

The amendment was agreed to.

And the whole subject was postponed.

Mr. Pomeroy

Presented a communication from owners of property on Callowhill Street, between the intersection of Hamilton Street and the Schuylkill River, asking that water pipes may be laid in said street, with as little delay as possible.

Which was referred to the Committee on Water Works.

Mr. Copeland

From the Committee on Highways, &c., presented the following report:

To the Select and Common Councils of the City of Philadelphia:

The Committee on Highways beg leave to submit the accompanying Ordinance, and ask its adoption:

SAMUEL COPELAND,

Chairman.

Committee Room, September 7, 1854.

"An Ordinance to authorize the construction of a certain culvert."

And moved that Council do now proceed to the consideration of the same.

Which was agreed to.

The first section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was then, by special order, read the third time and agreed to.

Select Council concurred.

Mr. Martien

From the Committee on Trusts, presented the following:

To the Select and Common Councils of the City of Philadelphia :

GENTLEMEN:

The Committee on Trusts report the annexed ordinance and ask its adoption.

J. W. MARTIEN.

Chairman.

Committee Room, September 7th, 1854.

“An Ordinance to make an appropriation for the use of Will’s Hospital, for the year 1854.”

Mr. Martien

Moved that Council do now proceed to the consideration of the same.

Which was agreed to.

The first and only section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill was then, by special order, read the third time, and agreed to.

Select Council concurred.

Also, the following :

To the Select and Common Councils :

The Committee on Trusts report the annexed Ordinance, and ask its adoption.

J. W. MARTIEN,

Chairman.

Committee Room, September 7, 1854.

“ An Ordinance to make an Appropriation to the Superintendent of Trusts for the purposes therein mentioned.”

Mr. Martien

Moved that Council do now proceed to the consideration of the same.

The first and only section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill was then, by special order, read the third time, and agreed to.

Select Council concurred.

Mr. Wickersham

Offered the following resolution :

Resolved, That the heads of the various departments of the City Government, &c., are hereby directed to prepare and furnish the standing committees of Councils having the supervision of the department, estimates of the amounts required for the use of the department during the current year.

Which was read twice, and adopted.

Select Council concurred.

Mr. Eastwick

Moved a re-consideration of the vote by which the resolution relative to the Thompson Street culvert was adopted at the last meeting. On this question, the yeas and nays were demanded by Messrs. Copeland and Dubree,

And being ordered, were as follows :

YEAS—Messrs. Berry, Bishop, Balch, Bumm, Boyle, Butcher, Boswell, Cowell, Dunk, Dennis, Eastwick, Gibson, Gillingham, Gratz, Graeff, Hacker, Hoppel, Lloyd, Larzallere, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Newell, Pomeroy, Parham, Preston, Rhoads, Roberts, Shuster, Smith, Verree, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Austin, Copeland, Conrad, Corlies, Davenport, Dougherty, Dubree, Giller, Gray, Griscom, Hoffman, Hilles, Hassinger, Norton, O'Neill, Painter, Randall, Stuart, Scheetz, Watt.

Yeas 37; nays 21.

Which was agreed to.

The resolution being under consideration,

Mr. Gillingham

Moved to amend by striking out all after the word "resolved," and insert the amendment offered by Mr. Hoppel at the last meeting. (See page 402 of the Journal.)

Mr. O'Neill

Moved further to amend by adding "that the whole subject be postponed and referred to a Special Committee of three, with power to send for persons and papers, and report upon the same.

On this question the yeas and nays were demanded by Messrs. Randall and Copeland.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Austin, Berry, Bishop, Balch, Bumm, Boyle, Butcher, Copeland, Cresswell, Conrad, Cor-

lies, Dunk, Davenport, Dougherty, Dubree, Gibson, Giller, Grove, Gray, Griscom, Graeff, Houseman, Hoppel, Hilles, Hassinger, Lloyd, Mercer, Martien, Matthews, Magarge, Norton, O'Neill, Painter, Randall, Rhoads, Stuart, Scheetz, Smith, Stallman, Watt, Wickersham, Diehl, *President*.

NAYS—Messrs. Boswell, Cowell, Dennis, Eastwick, Gillingham, Gratz, Hacker, Larzalere, Moran, Manuel, Newell, Pomeroy, Parham, Preston, Shuster, Verree, Wagner.

Yeas 43; nays 17.

Mr. Boswell

Moved further to amend, by adding "and report at the next stated meeting of Councils."

Which was agreed to.

The resolution as amended was agreed to.

And the President appointed Messrs. O'Neill, Gratz, and Eastwick.

Messrs. Eastwick and Gratz asked to be excused from serving on the Committee.

Which was granted.

And Messrs. Hacker and Verree were appointed in lieu thereof, who also desired to be excused.

Which was not agreed to.

Mr. O'Neill

Also asked to be excused from serving as one of that Committee.

Which was not agreed to.

Mr. Martien

Chairman of the Committee to confer with the Fire Department, presented the following report:

To the Select and Common Councils of the City of Philadelphia:

GENTLEMEN:—The Joint Special Committee appointed

to confer with the Fire Department, upon the subject of a re-organization of said department, respectfully report the ordinance hereunto annexed, as the result of their labors, and also offer the following resolution :

Resolved, That the Committee be discharged from the further consideration of this subject.

“ An Ordinance to re-organize the Fire Department of the City of Philadelphia.”

Mr. Martien

Moved that Council do now proceed to the consideration of the same.

Mr. Boswell

Moved that the further consideration of the subject be postponed, and five hundred copies printed for the use of the members, and five copies be distributed to each daily paper.

Which was not agreed to.

Mr. Butcher

Moved the further consideration of the subject be postponed.

On this question the yeas and nays were demanded by Messrs. Martien and Balch.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Austin, Butcher, Boswell, Conrad, Gibson, Giller, Griscom, Houseman, Hacker, Mercer, O'Neill, Pomeroy, Painter, Preston, Verree.

NAYS—Messrs. Berry, Bishop, Balch, Bumm, Boyle, Cowell, Cresswell, Corlies, Dunk, Davenport, Denuis, Dubree, Eastwick, Gratz, Graeff, Hoppel, Hilles, Hassinger, Lloyd, Martien, Matthews, Manuel, Magarge, Newell, Rhoads, Roberts, Stuart, Shuster, Smith, Stallman, Diehl, *President*.

Yeas 16 ; nays 31.

Which was not agreed to.

Mr. Butcher

Moved that the further consideration be postponed for the purpose of allowing himself and several other members an opportunity of offering a resolution.

Which was agreed to.

Mr. Butcher

Then offered the following resolution :

Resolved, That the City Commissioners be authorized to draw the warrants for the payment of grading Girard Avenue, in the Twenty-fourth Ward, as per Ordinance approved this day.

Which was twice read and adopted.

Select Council concurred.

Mr. O'Neill

Offered the following preamble and resolution :

WHEREAS, The City of Philadelphia is the owner of a piece of property, some thirty-eight or forty acres of land, known as Lemon Hill, which property is leased for two years from October 6th, and the said property is a public nuisance by reason of the manner in which it is conducted by the person in possession.

Therefore be it

Resolved, That the Committee on City Property be directed to inquire of the Solicitor as to the proper manner, to obtain possession of the said property, and whether it would not be expedient, to have the same opened for the use of the public for a park.

The preamble and resolution was adopted.

Mr. Smith

Presented a bill of David Roberts, of Germantown, for cast iron water pipes, of \$109 '09.

Which was referred to the Committee on Finance.

Mr. Mercer

Moved that Council do now proceed to the consideration of the resolution, relative to the running of locomotives on the railroad in the Second Ward.

Which was not agreed to.

Mr. Dennis

Moved that the further consideration of the bill be postponed, for the purpose of offering a resolution.

Which was not agreed to.

Council then resumed the consideration of the Ordinance to re-organize the Fire Department of the City of Philadelphia, and while it was being read,

Mr. Graeff

Moved for a call of the House.

Which was subsequently withdrawn.

The following message was received from the Mayor:

MAYOR'S OFFICE, }
Phila. Sept. 7th, 1854. }

To the President of Common Council:

SIR:—I have this day approved and signed the following Ordinances:

An Ordinance entitled “An Ordinance to make an appropriation for the use of the Inspectors of the Prison.”

An Ordinance entitled “An Ordinance for the payment of expenses of grading Girard Avenue.”

R. T. CONRAD,

Mayor.

Which was laid on the table.

Mr. Hoppel

Moved that Council do now adjourn.

Which was agreed to.

Adjourned.

TUESDAY, September 12th, 1854.

A Special meeting of Common Council was held this day—
Present,

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Hoffman, |
| Berry, | Horn, |
| Bishop, | Hacker, |
| Balch, | Hopp l, |
| Bumm, | Hilles, |
| Binder, | Hassinger, |
| Butcher, | Larzalere, |
| Boswell, | Moran, |
| Cowell, | Martien, |
| Cresswell, | Matthews, |
| Conrad, | Manuel, |
| Dunk, | Norton, |
| Davenport, | Newell, |
| Dennis, | Pomeroy, |
| Dubree, | Rhoads, |
| Eastwick, | Roberts, |
| Gibson, | Stuart, |
| Giller, | Shuster, |
| Grove, | Stallman, |
| Gray, | Verree, |
| Griscom, | Wickersham, |
| Gillingham, | Wagner, |
| Gay, | Diehl, <i>President.</i> |
| Gratz, | |

The report of the Joint Special Committee to confer with the Fire Department, with an ordinance attached, for the re-organization of the Fire Department of the City of Philadelphia, being under consideration,

Mr. Stuart

Moved that the further consideration of the same be postponed.

Which was agreed to.

Select Council

Informs this Council that they have passed an ordinance entitled "An Ordinance to make an appropriation to the Controllers of Public Schools of the First School District of Pennsylvania, for the purpose of defraying the cost of maintaining and managing the Public Schools in the said District, for the year 1854."

The first section being under consideration,

Mr. Boswell

Moved that the further consideration of the bill be postponed and re-committed to the Committee for the purpose of examination and correction.

On this question the yeas and nays were demanded be Messrs. Boswell and Gray,

And being ordered, were as follows:

YEAS—Messrs. Abbey, Bishop, Balch, Bumm, Binder, Boswell, Cowell, Cresswell, Dunk, Davenport, Dubree, Eastwick, Gibson, Giller, Gray, Griscom, Gay, Horn, Hacker, Hoppel, Hassinger, Moran, Martien, Matthews, Newell, Rhoads, Roberts, Stallman, Verree, Dichl, *President*.

NAYS—Messrs. Butcher, Dennis, Grove, Gillingham, Hoffman, Hilles, Larzalere, Manuel, Norton, Pomeroy, Stuart, Shuster, Wickersham, Wagner.

Yeas 30 ; nays 14.

Which was agreed to.

Mr. Balch offered the following resolution :

Resolved, That the City Treasurer be directed to report

forthwith to Councils a statement of the loans and debts of the City, when created, for what purpose, the rate of interest, when due, how much, if any, cancelled, and also the property, security, and assets of the City, their character, value, how held, and any other particulars concerning said loans, debts, property, securities and assets, as may enable Councils to determine what amount should be levied for a Sinking Fund, and also to consider whether or not any exchange of securities or assets held by the City can be advantageously exchanged for City loans or debts.

Which was read, when

Mr. Wickersham

Moved to amend in the second line, by striking out the word "forthwith," and insert in lieu thereof, "as early as practicable."

Which was agreed to.

The resolution as amended was adopted.

Select Council

Informs this Council that they have had under consideration an ordinance to organize the Department of Wharves and Landings, and have passed the same with the following amendments.

In the fourth section strike out the words "at public auction" and the words "except the ferries."

In the tenth section strike out "800" and insert "900."

And ask concurrence.

Common Council non-concurred in the first amendment.

The second amendment being under consideration,

The yeas and nays were demanded by Messrs. Dennis and Boswell.

And being ordered, were as follows:

YEAS—Messrs. Abbey, Berry, Bishop, Bumm, Cowell,

Gibson, Giller, Grove, Gillingham, Gratz, Hacker, Larzalere, Moran, Norton, Roberts, Wagner.

NAYS—Messrs. Balch, Binder, Butcher, Boswell, Cresswell, Dunk, Davenport, Dennis, Dubree, Eastwick, Gray, Griscom, Gay, Hoffman, Horn, Hilles, Hassinger, Martien, Matthews, Manuel, Newell, Pomeroy, Rhoads, Shuster, Stallman, Wickersham, Diehl, *President*.

Yeas 16; nays 27.

Which was not agreed to.

So Common Council non-concurred.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence:

Resolved, That the Committee on Prisons be requested to prepare and report at the next regular meeting of Councils, an Ordinance establishing such supervision over the Inspectors of the County Prison, as is contemplated under the Act of Consolidation.

Which was read twice and adopted.

So Common Council concurred.

Council then resumed the consideration of the bill to re-organize the Fire Department of the City of Philadelphia, when,

Mr. Giller

Moved that the further consideration of the subject be postponed, for the purpose of offering a resolution.

Which was agreed to.

Mr. Giller then offered the following resolution:

Resolved, That the Superintendent of Streets of the late District of Moyamensing be instructed to have Federal Street, from Broad Street to Irish Tract Lane, re-paved,

under the supervision of the Local Committee of the first four wards.

Which was twice read and adopted.

Common Council again resumed the consideration of the bill, which after having been read,

Mr. Martien

Moved that the further consideration of the same be postponed for the present.

Which was agreed to.

Mr. Abbey offered the following resolution :

Resolved, That the Special Committee appointed at a stated meeting of Councils, held August 31st, 1854, to proceed to New York and Boston to investigate the operation of the Fire Alarm Telegraph, be and they are hereby directed to inquire also into the operation of the Boston Fire Department, the advantages and disadvantages, if any, of the paid system, the general expense of the same, the compensation paid to firemen, and any other matters relating to this important subject, the knowledge of which may be of use to Councils in the re-organization of the Fire Department of this City, and report the same to Councils.

Which was read twice and adopted.

Mr. Balch

Moved that Council do now proceed to the consideration of the bill relating to the supervision of the Girard Estates and the Girard College for Orphans.

Which was not agreed to.

Mr. Moran

Presented a communication from owners of property on the south side of Fitzwater Street, between Eleventh and Twelfth Streets, asking that water pipes may be laid in said street.

Which was referred to the Local Committee of the First, Second, Third, and Fourth Wards, with power to act.

Also,

A communication from the same parties, asking that gas pipes may be laid in said street.

Mr. Moran

Moved that it be referred to the same Committee, with power to act.

Mr Boswell

Moved to amend, "that it be referred to the Gas Committee."

Which was agreed to.

Mr. Pomeroy

Moved that Council do now proceed to the consideration of the bill organizing the department for supplying the City with water.

Which was afterwards withdrawn.

Mr. Dennis offered the following resolution:

Resolved, That the Trustees of the Gas Works be and are hereby requested to take charge of the property of the City used for the purpose of measuring and distributing gas in the late District of Moyamensing, and that they be and are hereby authorized to collect all monies due the City by the consumers of gas therein, and to pay the same into the City Treasury until otherwise ordered.

Which was twice read and adopted.

Select Council concurred.

Mr. Pomeroy

Then resumed his motion to take up the bill for supplying the City with water.

Mr. Manuel

Moved that the further consideration of the same be postponed for the present, and printed for the use of the members.

Which was agreed to.

Mr. Balch

Moved that Council do now adjourn.

Which was not agreed to.

There being less than a quorum of members present,

Mr. Moran

Moved that Council do now adjourn.

Which was agreed to.

So Council adjourned.

TUESDAY, September 14th, 1854.

An adjourned meeting of Common Council was held this day—Present

Messrs. Abbey,
 Andress,
 Austin,
 Berry,
 Bishop,
 Balch,
 Bumm,
 Binder,
 Butcher,
 Boswell,
 Cowell,
 Cresswell,
 Conrad,
 Corlies,
 Crispin,
 Dunk,
 Davenport,
 Dennis,
 Dougherty,
 Dubree,
 Eastwick,
 Gibson,
 Giller,
 Grove,
 Gray,
 Griscom,
 Gillingham,
 Green,
 Gratz,
 Houseman,
 Hoffman,

Messrs. Hacker,
 Hubbard,
 Hoppel,
 Hilles,
 Hassinger,
 Laws,
 Larzalere,
 Mercer,
 Moran,
 Martien,
 Matthews,
 Manuel,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Pomeroy,
 Preston,
 Read,
 Randall,
 Rhoads,
 Stuart,
 Scheetz,
 Shuster,
 Smith,
 Stallman,
 Verree,
 Watt,
 Wickersham,
 Wagner,
 Diehl, *President.*

While the Journal was being read,

Mr. Smith

Moved that the further reading of the same be dispensed with.

Which was agreed to.

Mr. Norton

Moved to suspend the rules for the purpose of offering a resolution.

Which was agreed to.

Mr. Norton then offered the following resolution :

Resolved, That the Clerk be directed to inform Select Council that this Council is now ready to meet them in Convention to elect a Commissioner of City Property, a Chief Commissioner of Highways, six Commissioners of Highways, and Police Magistrates.

Which was twice read and adopted.

Mr. Pomeroy

Presented a communication from merchants and occupants of stores in Water Street, between Market and Chestnut, asking for the removal of three buildings on the west side of Water Street below Market, to the line of other property on said street, and in conformity to the plan and will of the late Stephen Girard.

Which was referred to the Committee on the Girard Estate.

Also,

A communication from a number of citizens, recommending J. B. Rheiner for Superintendent of Wharves and Landings.

Which was referred to the Committee on Port Wardens.

Also,

A communication from R. & J. V. Buckman, calling the attention of Councils to thirty-two acres of land, known as the Washington Retreat, as being admirably adapted for the purpose of a Park, the location being in the vicinity of the Columbia Bridge, bordering on the Schuylkill River, and intersected by the Reading Railroad, Columbia Avenue and Oxford and other streets, which will render it easy of access at all times.

Which was referred to the Committee on City Property.

Mr. Moran

Presented a communication from I. L. Chapman, asking for the use of the Commissioners' Hall in the different sections of the City, for the purpose of delivering Scientific Lectures, Explanations, &c.

Which was referred to the Committee on City Property.

Mr. Balch

Presented a communication from owners of property on both sides of the Ridge Turnpike Road, between Oxford Street and Columbia Avenue, asking that the curb-stones may be set, and the foot-walks paved as soon as practicable.

Which was referred to the Committee on Highways.

Also,

A communication from a number of citizens, asking that an appropriation may be made of a sufficient sum of money to purchase a number of paintings and portraits, formerly in the collection of the late Charles Wilson Peale,

And moved that it be referred to the Committee on City Property, with power to act.

Mr. Boswell

Moved that the communication be postponed for the present.

Which was agreed to.

And then offered the following preamble and resolution :

Joint Resolution relative to the portraits contained in what was formerly known as the "Peale Gallery."

Whereas, The collection of original portraits of Revolutionary Heroes and Statesmen, and other distinguished American patriots, commonly known as the "Peale Gallery," has been advertised for public sale in this City, on the sixth day of October next :

And Whereas, It is desirable that these portraits should be retained in the City of Philadelphia, as memorials connected with her own history and the history of the National Independence, which was first proclaimed within her borders : Therefore,

Resolved, That a Joint Special Committee of three members from each Chamber be appointed to inquire whether any means can be adopted by which the said collection of portraits may become the public property, with a view to their retention in the City, and that the said Committee be instructed to report to Councils as soon as convenient.

Which was twice read and adopted, and

Messrs. Boswell, Balch and Wagner appointed as that committee.

Mr. Gratz

Presented a communication from a number of citizens on Broad Street, asking that the sidewalks of said street may be paved, from Girard Avenue to Columbia Avenue.

Which was referred to the Committee on Highways.

Also,

A communication from Michael Levering, of the Nineteenth Ward, calling the attention of Councils to the bad condition of Lehigh Avenue, between Germantown Road and Sixth Street.

Which was referred to the Committee on Highways.

Mr. Wagner

Presented a communication from G. L. Nagle, calling the immediate attention of Councils to the injury that his property, in the vicinity of Eleventh and Thompson Streets, is sustaining by the delay attending the building of Thompson Street culvert.

Which was referred to the Committee on Highways.

Mr. Boswell

Presented a communication from residents and owners of Property in the Twenty-fourth Ward (late District of West Philadelphia), asking that the Water Works in said District may be completed as early as possible.

Mr. Binder

Presented a communication from J. Williams Biddle, attorney for Samuel Grim, asking that an appropriation of \$300 may be made to him, for damages occasioned by the opening of Marshall Street, in the late District of Penn.

Which was referred to the Committee on Finance.

Mr. Hoffinan

Presented a communication from George Carter, soliciting the appointment of Superintendent of Wharves and Landings.

Which was referred to the Committee on Port Ward, ens.

Mr. Matthews

Presented a communication from owners of property on Centre Street, between Sixteenth and Seventeenth Sts., asking that conduit pipes for the introduction of Schuylkill water, may be laid along said street as soon as practicable. And moved that the same be referred to the Local Committee of the Thirteenth, Fourteenth, and Fifteenth Wards, with power to act.

Mr. Gratz

Moved to postpone for the present.

Which was agreed to.

And then offered the following resolution :

Resolved, That the Superintendent of Water of the late District of Spring Garden, be and is hereby directed, under the direction of the Committee of Streets and Highways, to have the water pipes on Centre Street, in the Fifteenth Ward, laid forthwith.

Which was twice read and adopted.

Mr. Balch

From the Joint Special Committee of the Sunbury and Erie Railroad, presented a bill of N. B. Boyd, for the sum of \$230, accompanied with the following resolution :

Resolved, That the Clerk of Common Council be directed to pay N. B. Boyd the amount of the foregoing bill, to wit, the sum of \$230, and to charge the same in his account for expenses of Common Council.

Which was read twice and adopted.

Mr. Matthews

Presented a communication from owners of property on Centre Street, between Sixteenth and Seventeenth Streets, asking that gas pipes may be laid along said Street as soon as practicable, and moved that the same be referred to the Local Committee of the Thirteenth, Fourteenth and Fifteenth Wards, with power to act.

Mr. Dennis

Moved to amend by striking out "Local Committee of the Thirteenth, Fourteenth and Fifteenth Wards," and insert "the Committee on Gas."

Which was not agreed to.

The question recurring on the original resolution,

The yeas and nays were demanded by Messrs. Wickersham and Dennis.

And being ordered, were as follows:

YEAS—Messrs. Address, Berry, Butcher, Cowell, Conrad, Crispin, Dunk, Davenport, Dougherty, Dubree, Eastwick, Gibson, Giller, Grove, Gray, Hubbard, Hoppel, Hilles, Laws, Larzalere, Mercer, Matthews, Magarge, Newell, Preston, Read, Rhoads, Scheetz, Smith, Stallman, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Austin, Bishop, Binder, Boswell, Dennis, Griscom, Hoffinan, Hassinger, Norton, Pomeroy, Randall, Stuart, Shuster, Verree, Watt, Wickersham.

Yeas 32; nays 17.

Which was agreed to.

Mr. Abbey

Moved to suspend the rules for the purpose of going into the consideration of the Ordinance organizing the department for supplying the City with Water.

Mr. Balch

Moved to amend, to hear the report from the Joint Special Committee on the Sunbury and Erie Railroad Company.

Which was not agreed to.

The question recurring on the original resolution,

It was agreed to.

The bill being on the first reading,

Mr. Cowell

Moved that Council resolve itself into Committee of the Whole.

Which was agreed to,

Mr. Moran in the Chair.

And after some time spent therein, the Committee rose and reported the bill with amendments.

The bill being under consideration,

Mr. Boswell

Moved that the further consideration of the same be postponed, for the purpose of hearing the report of the Committee on the Sunbury and Erie Railroad Company.

Which was not agreed to.

Section first being under consideration,

Mr. Norton

Moved to amend, by adding "at their first meeting," after the word "thereafter," in the second line.

Which was agreed to.

The section as amended was agreed to.

Section second was agreed to.

Section third was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

Section sixth was agreed to.

Section seventh was agreed to.

Section eighth being under consideration,

Mr. Smith

Moved to amend by striking out all on the second line, and inserting in the end of the first line, "a Register of Water Rents, who shall be elected *viva voce* in joint meeting of Councils, at their first meeting after the passage of this bill, and annually thereafter in the month of July."

Which was agreed to.

The section as amended was agreed to.

Section ninth being under consideration,

Mr. Norton

Moved to amend in the third line, after the word "return," by adding "in writing, under oath or affirmation."

Which was agreed to.

Also,

In the fourth line, after the word "bond," "with two or more sureties;" and at the end of the section, "and said security to be approved by Councils."

Which was agreed to.

Section as amended was agreed to.

Section tenth was agreed to.

Section eleventh was agreed to.

Section twelfth being under consideration,

Mr. Norton

Moved to amend in the first line, after the word "copy," by adding "all."

Which was agreed to.

The section as amended was agreed to.

Section thirteenth being under consideration,

Mr. Hassinger

Moved to amend in the second line, after the word "return," by adding "weekly."

Which was agreed to.

The section as amended was agreed to.

Section fourteenth was agreed to.

Section fifteenth being under consideration,

Mr. Parham

Moved to amend in the first line, after the word "engineer," by adding "and Register."

Which was agreed to.

The section as amended was agreed to.

Section sixteen being under consideration,

Mr. Wagner

Moved to amend in the ninth line by striking out "\$1000" and insert "\$1100."

Which was not agreed to.

Mr. Crispin

Moved further to amend in the third line by striking out “\$3000” and insert “\$2500.”

Mr. Wagner

Moved further to amend by striking out “\$2500” and insert “\$3500.”

Which was not agreed to.

The question being on the amendment of Mr. Crispin, the yeas and nays were demanded by Messrs. Crispin and Verree, and being ordered, were as follows :

YEAS—Messrs. Berry, Balch, Cresswell, Corlies, Crispin, Dubree, Gibson, Gray, Griscom, Graeff, Hubbard, Hilles, Hassinger, Laws, Matthews, Manuel, Read, Scheetz, Stallman, Verree.

NAYS—Messrs. Abbey, Bishop, Bumm, Binder, Butcher, Boswell, Cowell, Conrad, Dunk, Davenport, Dennis, Dougherty, Giller, Grove, Gillingham, Gratz, Houseman, Hoffinan, Hacker, Hoppel, Larzalere, Mercer, Moran, Martien, Magarge, Norton, Newell, Pomeroy, Parham, Randall, Rhoads, Stuart, Shuster, Smith, Watt, Wagner, Diehl, *President*.

Yeas 20; nays 37.

Which was not agreed to.

The question recurring on the original resolution,

It was agreed to.

Mr. Randall

Moved further to amend in the tenth line, by striking out “\$800” and insert “\$900.”

Which was agreed to.

Section as amended was agreed to.

Section seventeenth being under consideration,

Mr. Parham

Moved to amend in the first line, after the word “for,”

by striking out the word "to," and insert in lieu thereof, "except the Register shall."

Which was agreed to.

The section as amended was agreed to.

Section eighteenth being under consideration,

Mr. Smith

Moved to amend in the fifth line, by striking out the word "supervision," and insert in lieu thereof, "inspection."

Which was agreed to.

Section as amended was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill was, by special order, read the third time, and agreed to.

Mr. Griscom

Presented the following communication :

NEW YORK, *September 9th*, 1854.

To the Honorable the Common Council of Philadelphia :

GENTLEMEN :—Having understood that the subject of introducing the Magnetic Telegraph for giving alarms of fire, &c., in your city, was being agitated by your honorable body, and that the subject had been referred to an appropriate committee, I would beg to state that I have erected a system of telegraphs in New York City for Fire and Police purposes, and would respectfully invite your honorable body to inspect and witness the operation of the same.

I am, respectfully,

Your obedient servant,

C. ROBINSON.

Which was referred to the sub-committee appointed to visit Boston and New York, to examine the telegraphs now in operation in those cities.

The President

Laid before Councils the following communication from John N. Henderson, Controller.

CONTROLLER'S OFFICE,)
Philadelphia, September 14th, 1854. }

To the Common Council of Philadelphia :

GENTLEMEN:—At a meeting of Councils held on the 7th inst., an Ordinance was passed making an appropriation of one hundred thousand dollars for the payment of claims against the City of Philadelphia; and in accordance with the Act of February 2d, 1854, it becomes my duty to inform you that I have countersigned warrants amounting to ninety-nine thousand nine hundred and ninety-nine dollars and eighty-three cents, leaving a balance of said appropriation of seventeen cents. There is still remaining unpaid in the Police Department, salaries amounting to seven thousand eight hundred dollars; and various other bills, amounting to nearly twenty thousand dollars, have been audited in this department.

I have received a bill from the Trustees of the Philadelphia Gas Works, amounting to nine thousand five hundred and seventy-one dollars, which bill I have delayed the payment of until authorized by your body. I therefore enclose the bill, and will await your decision.

It may be proper for me to state to Councils the many disadvantages that I labor under, in the discharge of the duties of City Controller, and solicit their speedy action, in order that these difficulties may be somewhat overcome. In accordance with the act of February 2d, 1854, the Controller has the whole charge of the the fiscal concerns of the City, and shall manage in the manner required by the laws of the State, and the Ordinances and resolutions of City Councils; but, at the same time, supplies him with all the necessary assistance, in order that every provision of the act may be faithfully guarded and the public interest sustained; by examining the fifty-first section, it provides that it shall be the duty of the City Councils to provide by Ordinance for the establishment and regulation of all the departments indicat-

ed by this Act, under the proper heads, and with the necessary clerks, officers and assistants, viz: Law, Police, Surveys, Highways, Health, Water, Gas, Fire, the Poor, the City Property, and Public Grounds, and such other as may from time to time be needful.

Now some of these departments are organized, but the most responsible departments are yet without any head, and consequently, bills to very large amounts are produced by individuals, and payment demanded, when there is no evidence that the claim is a just one, or that the said claim has not been paid under the former administrations; and, again, for all materials that have been furnished for Highways, since the organization of Councils, has increased at least on an average forty per cent., and this cannot be accounted for on account of an increase in the price of materials. On the other hand, some materials have fallen considerable; take, for example, paving stones—since the organization of Councils this article could be purchased for \$2.50 per load, but all the former districts have paid \$3, or at least their bills are made out at that price. Then take the Paving Department and it can be shown that some of the streets that are now and have been paved, have cost more for gravel alone than will be reimbursed to the City for the expense of the men employed and materials. Therefore, gentlemen, without further detail, permit me to request that these several departments may be organized, for this state of things is not confined to the Department of Highways alone, but the others are in the same unhappy condition. It would be a dereliction of duty on my part, did I omit to examine into the cause of this frightful increase of expenditure, or to apply all the remedies for the protection of the Treasury which the charter and the laws of the land have provided for the government of the Finance Department.

With sentiments of sincere respects, I am yours,

JOHN N. HENDERSON,

City Controller.

Which was referred to the Committee on Finance.

The President

Laid before Councils a communication from Henry Haines soliciting the appointment of Surveyor.

Which was referred to the Committee on Surveys.

Also,

A communication from Thomas Oliver Goldsmith, Coroner, asking that an appropriation of \$1500 may be made to him this day, to furnish means to prosecute his official duties.

Which was referred to the Committee on Law.

Also,

A communication from F. Fraley, President of the Philadelphia Gas Works, relative to certain real and personal estate the Trustees of said Company hold under various ordinances of the Mayor, Aldermen and Citizens of Philadelphia.

Which was laid on the table.

Also,

A communication from George Kelly, asking Councils to appoint a Committee to examine the culvert he has just completed in Carroll and York Streets, in the late District of Kensington.

Which was referred to the Committee on Highways.

Mr. Rhoads

Presented a communication from Catharine Marple, asking compensatory damages for injuries sustained by a fall on a common adjoining York Street.

The reading of which was dispensed with, and referred to the Committee on Claims.

Mr. Manuel

Presented a communication from James S. Smith, relative to a lost bond of the late District of Penn.

Which was referred to the Committee on Finance.

Mr. Graeff

Presented petitions from a large number of citizens, asking Councils to secure, by early action, the property

recently purchased by the late District of Penn for a public Park, lying between Master and Oxford Streets.

Which was referred to the Committee on City Property.

Mr. Bishop

Chairman of the Committee on Port Wardens, &c., presented the following report :

The Committee on Port Wardens, Public Landings, &c., beg leave to report, that they have inquired into the storage of street dirt and manure on Callowhill Street Wharf, and have the assurance that the manure now stored there will be forthwith removed, and no further storage shall take place on said wharf.

S. S. BISHOP,

Chairman.

Committee Room, September 14th, 1854.

Which was laid on the table.

Mr. Gillingham offered the following resolution :

Resolved, That the Committee on Highways, &c., be requested to report to Councils at the next stated meeting, or as soon thereafter as possible, upon these several subjects which have been referred to them.

The culverting of Cohocksink Creek, in the Sixteenth and Seventeenth Wards.

Also,

Upon the propriety of removing the rails from Market, Third and Dock Streets.

Also,

The ordinance regulating the passage of carts, drays, and other vehicles along the Streets and Highways of the City.

Which was twice read and adopted.

Mr. Newell presented the following report:

To the Select and Common Council:

The Committee on Market Houses beg leave to offer the accompanying Ordinance, and ask its adoption:

ROBERT NEWELL,
Chairman.

Committee Room, September 14th, 1854.

The Ordinance was read, and

Mr. Newell

Moved that the further consideration of the same be postponed for the present.

Which was agreed to.

Select Council

Informs this Council that they have concurred in the bill entitled "An Ordinance to make an Appropriation to the Superintendent of Trusts for the purposes therein mentioned, with two amendments, to wit:

Strike out the word "five" in the third line, and insert in lieu thereof, the word "eleven."

And insert as No. 5, "Mary Grover, six months annuity in advance, due September 1st, 1854, \$600," and make the following No. 6 and 7.

The amendments were concurred in.

Mr. Boswell offered the following preamble and resolution:

Whereas, The Engineer on the part of the City of Philadelphia, having reported to Councils that further instrumental examination should be made of the Country lying west of the mouth of "Bennett's Branch," before an approval of the route of the Sunbury and Erie Railroad can be given by him.

Therefore,

Resolved, That the President and Directors of the

Sunbury and Erie Railroad Company be and they are hereby requested to place at the disposal of the Engineer on the part of this City, forthwith, such engineering force as he may require to complete a full instrumental survey and examination of the country west of Bennett's Branch.

Which was read, when

Mr. Boswell

Moved that it be postponed for the present.

Mr. Griscom

Moved to amend, "and printed for the use of members."

Which was agreed to.

Mr. O'Neill offered the following resolution:

Resolved, That the person having charge of the public clock be directed to keep the one in this room in going order, so that each member may know whether the time allotted to each person to speak has expired or not, for the ease of creation and the saving of public time.

Mr. Hacker

Moved to amend by striking out all after the word resolved, and insert "That the Clerk be directed to have the clock in this room put in order and placed back of the President's chair.

Mr. Randall

Moved that the whole subject be indefinitely postponed.

Which was not agreed to.

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. Martien offered the following preamble and resolution:

Whereas, The City Controller having complained of the non-organization of the several Departments of the City Government, particularly that of Highways, and this Council having notified Select Council at three different meetings of

their readiness to meet in convention for the purpose of electing the Chief Commissioner of Highways and other officers of said Department, and the citizens are now suffering for the want of proper attention to the highways, owing to the delay of electing the officers of this Department: Therefore,

Resolved, That the Committee of Highways be and they are hereby authorized to take such action as they may deem expedient for the purpose of removing the many existing evils complained of by our citizens.

Mr. Laws

Moved that the whole subject be indefinitely postponed.

On this question the yeas and nays were demanded by Messrs. Dennis and Martien.

And being ordered, were as follows:

YEAS—Messrs. Abbey, Bishop, Balch, Butcher, Boswell, Conrad, Corlies, Dennis, Dubree, Gibson, Giller, Gray, Griscom, Gratz, Graeff, Hoffman, Hacker, Hilles, Hassinger, Laws, Larzalere, Matthews, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Preston, Read, Randall, Stuart, Shuster, Stallman, Verree, Watt, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Address, Berry, Bumm, Binder, Cresswell, Crispin, Davenport, Gillingham, Green, Hubbard, Hoppel, Mercer, Martien, Rhoads.

Yeas 39; nays 14.

Which was agreed to.

Mr. Gratz

Moved to suspend the rule compelling this Council to adjourn at seven o'clock.

Which was not agreed to.

Message from Select Council

Informing this Council that they had resolved to meet to-morrow afternoon at 3 o'clock.

Select Council

Informs this Council that they have had under consideration, an Ordinance, "to make an appropriation to the Controllors of Public Schools of the First School District of Pennsylvania, for the purpose of defraying the cost of maintaining and managing the Public Schools in the said District for the year 1854."

Mr. Norton

Moved that Council do now proceed to the consideration of the same.

The ordinance was read, when

Mr. Verree

Moved that further consideration be postponed, for the purpose of hearing the report of the special Committee on the Thompson Street Culvert.

Which was not agreed to.

Mr. Gratz

Moved that we suspend the rules requiring this Council to adjourn at 7 o'clock.

Which was not agreed to.

Mr. Gillingham

Moved that when we adjourn we adjourn to meet tomorrow afternoon, at 3 o'clock.

Which was not agreed to.

Mr. O'Neil

Moved that the whole subject be postponed, for the purpose of all hearing the report of the special Committee on the Sunbury and Erie Railroad.

Which was agreed to.

Mr. Balch

Then presented the report, and moved that the reading of the same be dispensed with, and printed for the use of the members, and the Committee discharged.

Which was agreed to.

Mr. Address

Moved that when we adjourn, we adjourn to meet tomorrow afternoon at 3 o'clock.

On this question the yeas and nays were demanded by Messrs. Gillingham and Hoppel.

And being ordered were as follows :

YEAS—Messrs. Abbey, Address, Balch, Bumm, Cowell, Conrad, Dunk, Dubree, Gray, Griscom, Gillingham, Green, Gratz, Hoppel, Hilles, Hassenger, Larzalere, Mercer, Moran, Martien, Matthews, Norton, Pomeroy, Rhoads, Stuart, Smith, Verree, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Berry, Bishop, Binder, Butcher, Boswell, Cresswell, Corlies, Crispin, Davenport, Dennis, Dougherty, Eastwick, Gibson, Graeff, Houseman, Hoffinan, Hacker, Hubbard, Laws, Manuel, Magarge, O'Neill, Parham, Preston, Read, Randall, Shuster, Watt.

Yeas, 30 ; nays, 27.

Which was agreed to.

The President

Laid before Council the following message from the Mayor :

MAYOR'S OFFICE,
Philadelphia, Sept. 14th, 1854. }

To the President of Common Council :

SIR :—I have approved and signed the following Ordinances, viz :

“ An ordinance, entitled ‘ an Ordinance to make an appropriation to the department of the City Treasury.’ ”

“ An ordinance, entitled ‘ an Ordinance to make an appropriation to the Clerks of Councils, for the purposes therein mentioned.’ ”

“ An ordinance, entitled ‘ an Ordinance to make an appropriation for the payment of claims against the City of Philadelphia.’ ”

R. T. CONRAD,
Mayor.

Which was read and laid on the table.

On motion,

Adjourned.

FRIDAY, September 15th, 1854.

An adjourned meeting of Common Council was held this day—Present

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Bumm,
Butcher,
Cowell,
Cresswell,
Conrad,
Dunk,
Davenport,
Dennis,
Dubree,
Eastwick,
Gibson,
Giller,
Grove,
Gray,
Griscom,
Gillingham,
Gay,
Green,
Gratz,
Houseman,
Hoffinan,
Harper,

Messrs. Horn,
Hacker,
Hubbard,
Hoppel,
Hassinger,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Norton,
Newell,
O'Neill,
Parham,
Painter,
Read,
Randall,
Rhoads,
Stuart,
Scheetz,
Shuster,
Smith,
Stallman,
Watt,
Wickersham,
Wagner,
Diehl, *President.*

Council resumed the consideration of the ordinance "To make an appropriation to the Controllers of Public Schools of the First School District of Pennsylvania, for the purpose of defraying the cost of maintaining and managing the Public Schools in the said District, for the year 1854."

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

The bill was then by special order read a third time and agreed to.

So Common Council concurred.

Mr. Martien

Moved to suspend the rules for the purpose of presenting a communication from Philip M. Price, Secretary of the Sunbury and Erie Railroad Company.

Which was agreed to.

And moved that the reading of the same be dispensed with, and printed for the use of the members.

Which was afterwards withdrawn.

Mr. Hoppel

Moved that the report of the Special Committee to examine into the subscription of the Sunbury and Erie Railroad Company, be read.

Which was not agreed to.

Mr. Martien

Then renewed his motion to have the communication printed for the use of the members.

Mr. Stuart

Moved to amend, "to lay it on the table."

Which was not agreed to.

Mr. Gratz

Moved further to amend, "by having the communication read."

On this question the yeas and nays were demanded by Messrs. Stuart and Giller

And being ordered, were as follows :

YEAS—Messrs. Abbey, Address, Bishop, Bumm, Conrad, Green, Gratz, Houseman, Hacker, Hoppel, Hassinger, Moran, Matthews, Manuel, Parham, Painter, Read, Stuart, Smith, Verree, Wickersham, Wagner.

NAYS—Messrs. Austin, Berry, Butcher, Cowell, Cresswell, Dunk, Davenport, Dennis, Dubree, Gibson, Giller, Grove, Gray, Gillingham, Gay, Harper, Horn, Hubbard, Mercer, Martien, Norton, Scheetz, Stallman, Diehl, *President*.

Yeas 22 ; nays 24.

It was not agreed to.

Mr. Cowell

Moved that the further consideration of the subject be postponed for the present.

Which was agreed to.

Select Council

Informs this Council that they adhere to their amendment in the bill entitled "An Ordinance to organize the Department of Wharves and Landings," as to the fourth section.

And that they recede from their amendment in the tenth section.

A committee of Conference on behalf of Common Council was then appointed, consisting of Messrs. Hoppel, Address and Laws.

Mr. Verree

Presented the following report and accompanying resolution:

The Special Committee, to whom was referred the contracts for building the Thompson Street Culvert, beg leave to report, that in pursuance of a call of the Chairman they met on Wednesday afternoon and proceeded to examine such testimony as was presented to them.

They examined the minutes of the Board of Commissioners of the District of Penn, and also a number of witnesses, who testified in relation to the letting of this contract to Davis, Ryan and Blackburne.

The only authority your Committee could find for building this Culvert was the Act of Assembly passed the twentieth of February, 1852, which act requires that proposals for building the same, shall be invited through the public papers for thirty days previous to its allotment, and that thereupon the Board of Commissioners shall award the contract to the lowest and best bidder or bidders.

In accordance with a resolution of that Board, public notice was given that proposals would be received for building this work until 12 o'clock of the 3d day of April, 1854.

The Clerk of the Board states, under oath, that up to that time but fifteen proposals were received by him, on all of which were endorsed, either by himself or his assistant, the time at which they were received. When the envelopes containing these proposals were opened, it was discovered that sixteen envelopes containing proposals were produced before the Committee, one of which number was never presented to the Clerk, as required by the public notice, nor was it endorsed by him or his assistant.

Mr. Joseph Wood, the Clerk, stated that the sixteenth proposal was added to the number, properly presented by Mr. Pollard, one of the Committee of the District Commissioners, after the time had expired for their being received, and when the Committee were about opening the others. He also states that he believed the envelope thus presented contained the proposal of Thomas S. Davis.

Amongst other proposals your Committee submitted those of Mr. Edward Fitch, and Messrs. Potts & Henderson, to Henry S. Haines, Surveyor of the late District, who stated that the aggregate of Mr. Fitch's bid was \$24,064 60,

and the aggregate of Potts & Henderson's was \$23,850 63; there were two other bids still lower than these, those of John McCowen and Thomas Gogerty.

Messrs. Fitch, Murray, Olwine and Gogerty, all lower bidders than those to whom the contract was given, stated upon oath, that their bids were honest bids and made in good faith, and that they were each prepared to execute them faithfully. They also stated that they had not been called upon by the authority of the District to give any security for the faithful performance of their bids, but that they were fully prepared to do so.

From these facts and other collateral evidence, your Committee believe that the contract for building this work was given to Thomas Davis, Thomas Ryan and George Blackburne, at an excess of from \$7,000 to \$8,000 over other bidders who were prepared and able to give ample security for the faithful performance of their respective bids, and as your Committee believe, in direct violation of the Act of Assembly authorizing the building of this Culvert.

Your Committee are further convinced that the awarding of this contract was illegal (if not fraudulent) from the fact that Mr. Pollard, one of the Commissioners who awarded it, and Mr. Davis, one of the parties to whom it was given, were active in having the allotments confirmed by a special Act of Assembly; not because it was just and proper, but because, as was stated to the members of the Assembly, it was necessary for the maintenance of the political party then in power in that district. It was stated in evidence by Joseph Wood, Jr., that Mr. Pollard intimated to him that if he would withdraw his opposition to the passage of the special act, fifty dollars was at his disposal, and that they, Pollard and Davis, intended to have the act passed either by fair or unfair means.

Believing, therefore, that the contract was given to Davis, Ryan and Blackburne in direct violation of the Assembly; that it was awarded to the highest instead of the lowest bidder; that the Act confirming these allotments was procured by the parties implicated, and that their confirmation would result in a loss to the City of \$7,000 or \$8,000, your Committee cannot recommend their further acknowledg-

ment, but would recommend that they be considered null and void, and of no binding force upon the City.

Your Committee would also beg leave to offer the following resolution, and ask to be discharged from the further consideration of the matter.

JAMES VERREE,
WM. HACKER.

September 15th, 1854.

Resolved, That Henry Haines, Surveyor of the late District of Penn be and he is hereby authorized and instructed to award the said Thompson Street Culvert to the lowest bidder as per tabular statement hereunto annexed, (*Appendix page 37.*) agreeably to the plan and specification, terms and conditions, as set forth in the notices inviting proposals for the construction of said culvert, issued in March last, demanding thereupon satisfactory security for the faithful performance of the contract, in conformity with any Ordinance now or that may hereafter be in force, applicable to the construction of culverts, and in default of such satisfactory security, to award it to the next lowest bidder upon the same terms and conditions, and so on until the same is allotted: *Provided*, That no allotment be made, unless the obligation to complete the same be on or before the first of January, 1855; provided, moreover, that any work now done on said culvert be accurately measured and valued, and the same be deducted from any allotment made under this resolution.

Which was read, and

Mr. Wickersham

Moved that the further consideration of the report and resolution be postponed; that the report be recommitted to the Committee, that they report to Councils the evidence given before the Committee, and furnish a copy of the contract.

On this question the yeas and nays were demanded by Messrs. Norton and Giller.

And being ordered, were as follows:

YEAS—Messrs. Abbey, Austin, Bishop, Butcher, Con-

rad, Dunk, Davenport, Dubree, Griscom, Houseman, Horn, Hubbard, Mercer, Painter, Stuart, Wickersham.

NAYS—Messrs. Andress, Berry, Bumm, Cowell, Cresswell, Dennis, Gibson, Giller, Gray, Gillingham, Gay, Green, Gratz, Hoppel, Hassinger, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Pomeroy, Parham, Read, Randall, Rhoads, Smith, Stallman, Verree, Wagner, Diehl, *President*.

Yeas 16; nays 32.

Which was not agreed to.

Mr. Dennis

Moved to amend in the first line by striking out "that Henry Haines, Surveyor of the late District of Penn," and insert in lieu thereof the following:

"That the President of the Board of Commissioners of Highways of the old city proper, until the Chief Commissioner of Highways is elected."

Which was not agreed to.

The question recurring on the original resolution, the yeas and nays were demanded by Messrs. Norton and Smith.

And being ordered, were as follows:

YEAS—Messrs. Berry, Bumm, Butcher, Cowell, Dennis, Gibson, Gray, Gillingham, Green, Gratz, Hacker, Hoppel, Moran, Martien, Matthews, Manuel, Newell, Pomeroy, Parham, Rhoads, Shuster, Smith, Stallman, Verree, Wickersham, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Andress, Austin, Bishop, Cresswell, Conrad, Dunk, Davenport, Dubree, Giller, Griscom, Gay, Houseman, Horn, Hubbard, Hassinger, Norton, O'Neill, Painter, Read, Randall, Stuart.

Yeas 27; nays 22.

The resolution was agreed to.

Select Council

Informs this Council that they have passed an ordinance to make provision for the laborers employed on the Girard Avenue Bridge, and ask concurrence.

Section first being under consideration,

Mr. Andress

Moved that the further consideration of the same be postponed for the present.

Which was not agreed to.

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

The bill was ordered to be prepared for a third reading.

The bill was then by special order read a third time, and agreed to.

Common Council concurred.

Mr. Giller offered the following resolution :

Resolved, That the Clerk be instructed to inform Select Council that this Council is now ready to meet them in convention, for the purpose of electing a Commissioner of City Property, a Chief Commissioner of Highways, six Commissioners of Highways and Police Magistrates.

Which was read, and there being less than a quorum of members present,

Mr. Pomeroy

Moved that this Council do now adjourn.

Which was agreed to.

Adjourned.

Messrs. Griscom,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Hoffman,
Harper,
Horn,
Hacker,
Hubbard,
Hilles,
Laws,
Lloyd,
Mercer,
Moran,
Martien,

Messrs. Matthews,
Manuel,
Magarge,
Powell,
Preston,
Read,
Roberts,
Stuart,
Scheetz,
Shuster,
Smith,
Stallman,
Taylor,
Verree,
Watt,
Wagner.

Mr. Newell

Moved that Council do now adjourn.

Which was agreed to.

Adjourned.

TUESDAY, September 19th, 1854.

A Special Meeting of Common Council was held this day—Present,

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Norton, |
| Austin, | Newell, |
| Bishop, | O'Neill, |
| Binder, | Pomeroy |
| Butcher, | Parham, |
| Cowell, | Painter, |
| Corlies, | Randall, |
| Gillingham, | Rhoads, |
| Hoppel, | Wickersham, |
| Hassinger, | Diehl, <i>President.</i> |
| Larzalere, | |

There being less than a quorum of members present,

Mr. O'Neill

Moved that the names of the absentees be called.

And being ordered, were as follows:

| | |
|------------------|---------------|
| Messrs. Andress, | Messrs. Dunk, |
| Berry, | Davenport, |
| Balch, | Dennis, |
| Bumm, | Dougherty, |
| Boyle, | Dubree, |
| Boswell, | Eastwick, |
| Copeland, | Gibson, |
| Cresswell, | Giller, |
| Conrad, | Grove, |
| Crispin, | Gray, |

TUESDAY, September 21st, 1854.

A Special meeting of Common Council was held this day—
Present,

Merss. Abbey,
Andress,
Austin,
Berry,
Bishop,
Bumm,
Binder,
Butcher,
Copeland,
Cowell,
Conrad,
Corlies,
Crispin,
Dunk,
Davenport,
Dennis,
Dougherty,
Dubrec,
Gibson,
Giller,
Grove,
Gray,
Gillingham,
Gay,
Gratz,
Graeff,
Houseman,
Hoffman,

Messrs. Harper,
Hubbard,
Hoppel,
Hassinger,
Mercer,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Pomeroy,
Parham,
Painter,
Preston,
Read,
Randall,
Rhoads,
Roberts,
Stuart,
Scheets,
Shuster,
Smith,
Stallman,
Verree,
Wickersham,
Wagner,
Diehl, *President.*

Mr. O'Neill

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Gibson

Presented a communication from property holders in the vicinity of Ninth and Morris Streets, in the First Ward, asking Councils to devise some plan to have the water drawn off of said Streets.

Which was referred to the Committee on Highways, &c.

Mr. Norton

Presented a communication from A. S. Redstreke, soliciting the appointment of Clerk in the Gas Department.

Which was laid on the table.

Mr. Wagner

Presented a communication from Joseph^e H. Siddall, soliciting the appointment of Surveyor.

Which was referred to the Committee on Surveys, &c.

Mr. Pomeroy

Presented a communication from Stephen Rush, soliciting the appointment of City Carpenter.

Which was referred to the Committee on City Property.

Mr. Randall

Presented the following communication from John Lindsay, City Treasurer :

To the Common Council of the City of Philadelphia :

GENTLEMEN :—The undersigned most respectfully request your immediate attention to the absolute necessity of providing suitable accommodations for the increased business of the office of the City Treasurer ; our present accommodations were not sufficient for the business of the former

City of Philadelphia ; and as you are well aware of the very great increase of business, together with the increased number of Clerks and books and papers necessary to carry on the proper duties of the office, and the want of additional fire-proof room for the safe keeping of the said books and papers, I would, therefore, most earnestly solicit your early attention to this important matter.

Very respectfully,

Your obedient servant,

JOHN LINDSAY,

City Treasurer

City Treasurer's Office, Sept. 21st, 1854.

Which was laid on the table.

Mr. Hoffman

Presented a communication from Martha Frowert, widow of Isaac Frowert, who was killed in the discharge of his duty as police officer, asking aid from Councils.

Which was referred to the Committee on Police.

Mr. Mercer

Presented a communication from Samuel R. Hilt, soliciting the appointment of Superintendent of Public Landings.

Which was referred to the Committee on Port Wardens, &c.

Also,

A communication from Jno. G. Pierie, soliciting the appointment of Superintendent of Public Landings.

Which was also referred to the Committee on Port Wardens, &c.

Mr. Hoppel

Presented a communication from James R. Davis, soliciting the appointment of Surveyor.

Which was referred to the Committee on Surveys, &c.

Mr. Binder

Presented a communication from Wm. Read, soliciting the appointment of Surveyor.

Which was also referred to the Committee on Surveys, &c.

Mr. Abbey

Presented a communication from a number of citizens on Pine Street, between Front and Second, asking to have the market carts and wagons removed from said street.

Which was referred to the Committee on Markets.

Mr. Magarge

Presented a communication from Joseph H. Siddall, soliciting the appointment of Surveyor of the District composed of the Twenty-first Ward.

Which was referred to the Committee on Surveys, &c.

Also,

A petition from a number of citizens residing in the vicinity of Germantown Road and Seventh Street, asking that the side-walks may be paved and flag-stones laid across said streets.

Which was referred to the Committee on Highways, &c.

Mr. Gibson

Presented a petition from a number of citizens and owners of property in the vicinity of Church and Mifflin Streets, in the First Ward, asking that water pipes may be laid in the said streets; also, that gas lamps may be placed there.

Which was referred to the Committee on Water Works.

Mr. Giller

Moved to suspend the regular order of business, for the purpose of resuming the consideration of the resolution offered by him on the 15th inst. (see page 462 of the Journal).

Which was agreed to, and the resolution adopted.

The President

Laid before Councils a communication from Joseph W. Souder, President of the Farmers' and Mechanics' Land and Building Association, calling their attention to an agreement entered into by the late District of Penn with that Association, Richard Rush and Henry Seybert, making a purchase of the land between Fifteenth and Eighteenth Streets, and Master and Oxford Streets, for a Public Park, subject to the approval of Councils prior to the first day of October next.

Which was referred to the Committee on City Property.

Also,

A communication from George Taylor, asking for the payment of his claims against the City for the sum of \$16,000, or more.

Which was referred to the Committee on Finance.

Mr. Wickersham,

From the Committee on Finance, presented the following report:

To the Select and Common Council:

GENTLEMEN:—The Committee on Finance beg leave to submit the accompanying ordinance, entitled "An Ordinance to make an appropriation to the Treasury Department, for the purposes therein mentioned," and ask its adoption.

M. S. WICKERSHAM,

Chairman.

Committee Room, Sept. 20th, 1854.

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill by special order was read the third time and agreed to.

Select Council concurred.

Also, the following report :

To the Select and Common Council :

GENTLEMEN:—The undersigned beg leave to submit the following bill, entitled “An Ordinance to make an appropriation for the expenses of the department of the City Controller,” and ask its adoption.

M. S. WICKERSHAM,

Committee Room, Sept. 21st, 1854.

Chairman.

Mr. O’Neil

Moved that the further consideration of the bill be postponed for the present.

Which was not agreed to.

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill by special order was read the third time and agreed to.

Select Council concurred.

Also, the following :

To the Select and Common Council :

GENTLEMEN:—The undersigned Committee on Finance beg leave to submit the following bill, entitled “An Ordinance to make an appropriation for the payment of certain claims against the corporation,” and ask its adoption.

M. S. WICKERSHAM,

Committee Room, Sept. 21st, 1854.

Chairman.

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill by special order was read the third time and agreed to.

Select Council concurred.

Also the following report :

To the Select and Common Council :

GENTLEMEN :—The undersigned, Committee on Finance, beg leave to submit the following bill, entitled “An Ordinance to make an appropriation to pay certain claims against the corporation,” and ask its adoption.

M. S. WICKERSHAM,

Committee Room, Sept. 21st, 1854.

Chairman.

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The title was agreed to.

The bill was ordered to be prepared for a third reading.

The bill, by special order, was read the third time and agreed to.

Select Council concurred.

Also the following :

To the Select and Common Council.

GENTLEMEN :—The undersigned, Committee on Finance, beg leave to submit the following bill, entitled “An Ordinance to make an appropriation for the expenses of the department of the City Treasurer,” and ask its adoption.

M. S. WICKERSHAM.

Committee Room, Sept. 21st, 1854.

Chairman.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill, by special order, was read the third time and agreed to.

Select Council concurred.

Also, the following :

To the Select and Common Councils.

GENTLEMEN :—The undersigned, Committee on Finance, beg leave to submit the following bill, entitled “ A Supplement to an Ordinance, approved August 7th, 1854,” entitled “ An Ordinance to Provide for the Issue of Certificates of Debt of the City of Philadelphia,” and ask its adoption.

M. S. WICKERSHAM,
Chairman.

Committee Room, Sept. 21st, 1854.

Which was read, when

Mr. Newell

Moved that the further consideration of the same be postponed for the present, and printed for the use of the members.

Which was agreed to.

Mr. Wickersham

Presented a bill of G. Harris for rent of Station House, south Third Street, which had been referred to the Committee on Finance, and asked that the Committee be discharged from the further consideration of the same ; and moved that the bill be referred to the Committee on Police.

Which was agreed to.

Also,

A bill of David Roberts for work done at the German-town Hall, cast-iron pipes, &c. ; and moved that the same be referred to the Committee on City Property.

Which was agreed to.

Mr. Mercer offered the following resolution :

Resolved, That the Clerk be instructed to inform Select Council that this Council will be ready to meet them in convention on Thursday next, the 28th inst., (being the last stated meeting in this month,) for the purpose of electing sixteen persons to serve as Port Wardens.

Which was twice read and adopted.

The President

Laid before Councils the following communication from the Board of Health :

HEALTH OFFICE, }
Philada. Sept. 21, 1854. }

SIR:—At a meeting of the Board of Health, held this day, the following resolution was adopted :

Resolved, That Wood Street west of Nineteenth Street, Middle Alley, running north from Pearl Street, Ogden Street, east of Fifteenth Street, and Carlisle Street between Brown and Poplar Streets, are nuisances, prejudicial to public health, and that Councils be requested to abate the same by having the above streets paved forthwith.

Extract from the minutes,

SAMUEL P. MARKS,
Clerk.

To JOHN H. DIEHL,
President of Common Council.

Which was referred to the Committee on Highways, &c.

Mr. Gillingham

From the Local Committee of the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards, presented the following preamble and resolutions :

WHEREAS, It is necessary that the Department of Highways should be established immediately, in order that there may be an immediate supervision over the highways.

And whereas, believing that the establishment of said department will be the only means of reducing the expenses

materially, and the continuation of the Local Committee as established by Councils will impede the legislation that is so much needed by the people for the construction of culverts, bridges, paving, grading, &c. Therefore,

Resolved, That the Local Committee, composed of the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards, use their exertions in Councils to dissolve the various local committees, and that the Chairman be directed, at a meeting of Councils, to offer a resolution to that effect.

R. P. GILLINGHAM,
Chairman.

Attest—C. W. STEEL, *Clerk.*

Resolved, by the Select and Common Council of the City of Philadelphia, That inasmuch as the various Local Committees established by Council are unable to give the proper attention to the bills presented to them to be acted upon, and are unable to reduce the enormous expenses of the city incurred upon the highways, and other departments of the city, that the said Local Committee be discontinued.

Resolved, That the two branches of the City Government (the Select and Common Council), will meet in convention at an adjourned meeting of Council, to be held on Friday next, the 22d inst., for the purpose of nominating and electing the Heads of such Departments as are or will then be established by ordinance.

Which were read, when

Mr. Andress

Moved that the preamble and first resolution be postponed for the present.

Which was agreed to.

Mr. Norton

Moved that the second resolution be postponed for the present.

Which was also agreed to.

Mr. Giller

Moved that Council do now suspend the regular order of business, for the purpose of resuming the consideration of the ordinance establishing the Department of Market Houses.

Which was agreed to.

The bill being on the second reading,

Section first was agreed to.

Section second was agreed to.

Mr. Hoppel

Moved a re-consideration of the vote by which the first section was adopted.

Which was not agreed to.

Section third was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

Section sixth was agreed to.

Section seventh being under consideration,

Mr. Giller

Moved to amend in the second line, by striking out the word "hereafter" and insert in lieu thereof "thereafter."

Which was agreed to.

The section as amended was agreed to.

Section eighth was agreed to.

Section ninth being under consideration,

Mr. Hoppel

Moved to amend in the twenty-fifth line, by striking out "one" and insert "two."

Which was not agreed to.

The section was agreed to.

Section tenth was agreed to.

Section eleventh was agreed to.

Section twelfth was agreed to.

Section thirteenth being under consideration,

Mr. Smith

Moved a division of the salaries.

Which was agreed to.

The first division was agreed to.

The second division was agreed to.

The third division was agreed to.

The fourth division being under consideration,

Mr. Houseman

Moved to amend by striking out "\$500" and insert in lieu thereof "\$1000."

Mr. Abbey

Moved an amendment to the amendment, by striking out "\$1000" and insert "\$700."

Which was not agreed to.

The amendment was not agreed to.

The division was agreed to.

The fifth division being under consideration,

Mr. Houseman

Moved to amend, by striking out "\$500" and insert "\$1000."

Which was not agreed to.

The division was agreed to.

The sixth division was agreed to.

The seventh division was agreed to.

The eighth division was agreed to.

The ninth division was agreed to.

The tenth division being under consideration,

Mr. Gay

Moved to amend by striking out the word "Street" and inserting in lieu thereof the word "Avenue."

Which was agreed to.

Mr. Binder

Moved further to amend by striking out the word "Franklin" and insert in lieu thereof the word "Girard."

Which was also agreed to.

The division was agreed to.

The eleventh division being under consideration,

Mr. O'Neill

Moved to amend by striking out "\$400," and insert in lieu thereof "\$600."

Mr. Smith

Moved an amendment to the amendment, by striking out "\$600" and insert "\$500," which was accepted.

The question being on the amendment of Mr. O'Neill,

The yeas and nays were demanded by Messrs. O'Neill and Newell.

And being ordered were as follows :

YEAS—Messrs. Berry, Bumm, Copeland, Cowell, Dubree, Grove, Gillingham, Gay, Graeff, Hoppel, O'Neill, Painter, Randall, Smith, Stallman, Diehl, *President*.

NAYS—Messrs. Abbey, Andress, Austin, Binder, Butcher, Conrad, Corlies, Crispin, Dunk, Davenport, Dennis, Dougherty, Gibson, Giller, Gratz, Houseman, Hoffman, Hubbard, Hassinger, Mercer, Matthews, Manuel, Magarge, Norton, Newell, Pomeroy, Parham, Preston, Read, Rhoads, Roberts, Stuart, Shuster, Verree, Wagner.

Yeas, 16 ; nays, 35.

The division was agreed to.

The twelfth division being under consideration,

Mr. Gillingham

Moved to amend by striking out "\$300," and insert in lieu thereof "\$400."

Mr. O'Neill

Moved that the further consideration of this division be postponed for the present.

Which was not agreed to.

The amendment was not agreed to.

The division was then agreed to.

Mr. Smith

Moved a re-consideration of the vote by which the ninth section was adopted.

Which was agreed to.

The ninth section being under consideration,

Mr. Smith

Moved to amend in the eighteenth, twentieth and twenty-second lines, by striking out the words "Franklin Street," and insert in lieu thereof "Girard Avenue."

Which was agreed to.

The section as amended was agreed to.

Mr. Smith

Also moved a re-consideration of the vote by which the fourth section was adopted, for the purpose of offering an amendment in the second line, by inserting the word "stated" between the words "first and meeting."

Which was not agreed to.

Mr. Smith

Asked leave to withdraw the bill of David Roberts, for work done at the Germantown Hall, which had been referred to the Committee on City Property.

Which was granted.

Mr. Randall

Moved that this Council do now go into the consideration of the bill from Select Council, entitled "An Ordinance to make an Appropriation out of the Income of the residuary portion of the Girard Estates, for the year 1854, for the purposes therein mentioned."

Which was agreed to.

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill was then, by special order, read the third time and agreed to.

So Common Council concurred.

The President

Laid before Councils the following message from the Mayor:

MAYOR'S OFFICE, }
Philada. Sept. 21, 1854. }

To the President of Common Council:

SIR:—I have approved and signed the following ordinances:

An Ordinance, entitled "An Ordinance to make an appropriation to the Controllers of Public Schools of the First School District of Pennsylvania, for the purpose of defraying the cost of maintaining and managing the Public Schools in the said District for the year one thousand eight hundred and fifty-four."

An Ordinance, entitled "An Ordinance to make provisions for the laborers employed on the Girard Avenue Bridge."

An Ordinance entitled "An Ordinance to compel the City Solicitor to require treasurers to settle their accounts,

and make payment to the City Treasurer of balances in their hands."

R. T. CONRAD,

Mayor.

Which was laid on the table.

Select Council

Informs this Council that they have concurred in the amendments of Common Council in the bill entitled "An Ordinance organizing the Departments for supplying the City with Water," with the exception of the amendment in section seventeenth.

Mr. Abbey

Moved that this Council do now proceed to the consideration of the same.

Which was agreed to.

Mr. Wickersham

Moved that the consideration be suspended for a short time for the purpose of offering a resolution relative to adjournment.

Which was not agreed to.

The amendment in section eighth having been read,

Mr. Smith

Moved that Common Council do insist on their amendment.

Mr. Wickersham

Moved to postpone for the purpose of offering a resolution relative to adjournment.

Which was not agreed to.

Mr. Pomeroy

Moved the previous question, and was sustained by the following members rising: Messrs. Abbey, Binder, Conrad, Gay, Gibson, Gillingham, Gray, Mercer, O'Neill, Parham, Randall and Stuart.

The question being, shall the main question be put,
It was agreed to.

The main question being, that Common Council do insist
on their amendments.

On this question the yeas and nays were demanded by
Messrs. Randall and Preston.

And being ordered, were as follows :

YEAS—Messrs. Andress, Berry, Bumm, Butcher, Cowell,
Corlies, Davenport, Dennis, Grove, Hoppel, Mercer, Mat-
thews, Manuel, Newell, Roberts, Smith, Wickersham, Wag-
ner, Diehl, *President*.

NAYS—Messrs. Abbey, Binder, Conrad, Crispin,
Dubree, Gibson, Giller, Gray, Gillingham, Gay, Graeff,
Hoffman, Hubbard, Hassinger, Magarge, Norton, O'Neill,
Pomeroy, Parham, Preston, Read, Randall, Rhoads, Stuart,
Shuster.

Yeas 19 ; nays 25.

Which was not agreed to.

The hour of seven having arrived,

Mr. Wickersham

Moved that when this Council adjourn it adjourn to
meet on Tuesday afternoon next at three o'clock.

Which was agreed to.

Adjourned.

TUESDAY, September 26th, 1854.

An adjourned meeting of Common Council was held this day—Present

Messrs. Abbey,
 Andress,
 Austin,
 Berry,
 Bishop,
 Bumm,
 Binder,
 Butcher,
 Boswell,
 Copeland,
 Cowell,
 Conrad,
 Corlies,
 Davenport,
 Dennis,
 Dougherty,
 Dubree,
 Eastwick,
 Gibson,
 Giller,
 Grove,
 Gray,
 Gillingham,
 Gay,
 Green,
 Gratz,
 Houseman,
 Hoffman,
 Harper,

Messrs. Horn,
 Hubbard,
 Hoppel,
 Hilles,
 Hassinger,
 Lloyd,
 Mercer,
 Matthews,
 Manuel,
 Norton,
 Newell,
 O'Neill,
 Pomeroy,
 Parham,
 Painter,
 Read,
 Randall,
 Roberts,
 Stuart,
 Scheetz,
 Shuster,
 Smith,
 Stallman,
 Verree,
 Watt,
 Wickersham,
 Wagner,
 Diehl, *President.*

Council resumed the consideration of the amendments of Select Council to the bill, organizing the Department for supplying the City with Water.

The first amendment was read.

Mr. Stuart

Moved that Common Council do recede to the same.

On this question the yeas and nays were demanded by Messrs. Pomeroy and Abbey,

And being ordered, were as follows :

YEAS—Messrs. Abbey, Austin, Berry, Bishop, Butcher, Boswell, Copeland, Conrad, Corlies, Dougherty, Durbree, Eastwick, Gibson, Gillingham, Gay, Gratz, Houseman, Harper, Hassinger, Norton, O'Neill, Pomeroy, Parham, Painter, Read, Randall, Stuart, Scheetz, Verree, Watt, Wagner.

NAYS—Messrs. Address, Bunn, Davenport, Dennis, Green, Hoppel, Matthews, Wickersham, Diehl, *President*.

Yeas, 31 ; nays, 9.

It was agreed to.

The second amendment being under consideration,

Mr. Pomeroy

Moved that Common Council do recede.

Which was agreed to.

So Common Council concurred.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence :

Resolved, That the Presidents of the Select and Common Councils shall be ex-officio members of all the Standing Committees.

Which was twice read and adopted.

So Common Council concurred.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence :

Resolved, That the Committee on Police be requested to see that suitable accommodations be provided for the Police stationed in Seventh Ward.

Mr. Andress

Moved to amend by striking out "Seventh Ward," and insert in lieu thereof "several wards of the City."

Which was agreed to.

Resolution as amended was agreed to.

Mr. O'Neill offered the following resolution :

Resolved, That the Committee on City Property be directed to inquire into the propriety of having the rooms, now, or lately occupied by the County Auditor, the County Treasurer and County Board, they being the eastern half of the west wing of the State House buildings, fitted up for the Supreme Court.

Which was twice read and adopted.

Mr. Norton offered the following resolution :

Resolved, That the President of Councils be added to the committee to prepare rules for the government of Councils.

Which was twice read and adopted.

The President

Laid before Councils a communication from James Thomson and Gideon J. Ball, relative to the route of the Sunbury and Erie Railroad Company (see *Appendix No. 59*).

Which was referred to the Committee on Railroads, with instructions to have it printed for the use of the members.

Also,

A communication from a number of citizens of the Nineteenth Ward, recommending Abraham Hendricks for Superintendent of Highways.

Also,

A report from the Committee on Railroads.

Which was read and laid on the table.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence :

Resolved, That the Committee on City Property be requested to inquire and report to Councils the price at which the Sedgley Estate, north of and adjoining the Lemon Hill Estate, can be purchased, and also any other property adjoining said Lemon Hill Estate.

Which was read twice and adopted.

So Common Council concurred.

Select Council

Informs this Council that they have passed the bill entitled "An Ordinance to provide for the care and management of the Ice Boat," and ask concurrence.

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was then, by special order, read the third time and agreed to.

So Common Council concurred.

Mr. Wickersham

Moved that Council do now proceed to the consideration of the bill entitled "An Ordinance to provide a Sinking Fund for the redemption of the Debt of the City of Philadelphia."

Which was agreed to.

Mr. Hoppel

Moved that we go into committee of the whole on the same.

Which was agreed to.

Mr. Hoppel in the chair,

And after remaining for some time therein, the committee rose, reported progress, and asked leave to sit again.

Which was agreed to.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence.

Resolved, That the Clerk inform the Common Council that the Select Council is ready to meet them to go into the election of Police Magistrates, as provided for by Act of Assembly, passed April 24th, 1854, and by ordinances of Councils.

Mr. Smith

Moved to amend, by adding at the end of the resolution the words "and for other purposes."

Mr. Dennis

Moved an amendment to the amendment, by striking out the words "and for other purposes," and insert after the words "Police Magistrates," the words "Commissioner of City Property, Chief Commissioner of Highways and Commissioners of Highways."

Which was accepted.

The resolution as amended was agreed to.

Message from Select Council

Asking to have returned the bill, entitled "An Ordinance to make an appropriation for the payment of certain claims against the corporation."

Which was granted.

Mr. Painter offered the following resolution :

Resolved, That the Clerk of the Franklin Street Markets be instructed to give legal notice to the parties renting the stalls at the end of the Market at Cadwallader Street, that the City wishes to take possession of the same at the expiration of the present year.

Mr. O'Neill

Moved to amend, by adding at the end of the resolution the following : "That the Clerk of Franklin Street Market be directed to notify the tenants of the sheds at the end of the Markets, that the City will not rent those sheds after the first of January next."

Mr. Newell

Moved that the whole subject be postponed, and referred to the Committee on Markets.

Mr. Painter

Moved to amend, by adding the words, "with power to act."

Which was subsequently withdrawn.

The resolution and amendment was then referred to the Committee on Markets.

Mr. Gratz

Presented a communication from a number of property owners and residents on Broad Street, between Columbia and Susquehanna Avenues, and on Susquehanna Avenue between Broad Street and the Lamb Road, asking that the said streets may be re-paved by another layer of stone.

Which was referred to the Committee on Highways, &c.

Mr. O'Neill offered the following preamble and resolution :

Whereas, The citizens of Philadelphia, by petitions, requested Councils to provide the public with parks and squares. Therefore be it

Resolved, That the property owned by the City known as the Lemon Hill Estate, be and the same is hereby dedicated to public use as a Park.

Mr. Newell

Moved that the same be postponed for the present.

Which was subsequently withdrawn, when

Mr. Norton

Moved that the further consideration of the subject be postponed for the present.

Mr. Abbey

Moved to amend, by adding the following; "And referred to the Committee on City Property, with instructions to report an ordinance to Councils on the first stated meeting in October next, dedicating the Estate to public use."

Which was accepted.

The question being on the motion to postpone,

The ayes and nays were demanded by Messrs. Giller and Norton.

And being ordered were as follows :

AYES—Messrs. Abbey, Address, Bumm, Binder, Boswell, Copeland, Cowell, Davenport, Eastwick, Gibson, Giller, Grove, Gray, Green, Houseman, Harper, Horn, Hoppel, Mercer, Manuel, Norton, Newell, Parham, Read, Randall, Stuart, Shuster, Wagner.

NAYS—Messrs. Austin, Berry, Butcher, Conrad, Corlies, Dennis, Dougherty, Dubree, Gay, Hoffman, Hilles, Hassinger, Laws, Lloyd, Matthews, O'Neill, Painter, Roberts, Sheetz, Smith, Stallman, Wickersham, Diehl, *President*.

Ayes, 28 ; nays, 23.

Which was agreed to.

Mr. Randall offered the following resolution :

Resolved, That the communication from the City Treasurer, asking for additional accommodations, be, and the same is hereby referred to the Committee on City Property, and that they have power, if they deem it expedient, to comply with his request.

Which was read twice and agreed to.

Message from Select Council informing this Council that they have concurred in the bill entitled "An Ordinance to make an appropriation for the payment of certain claims against the Corporation," with the following amendments, to wit :

Add to the end of the first section, the following :

"William Taylor, the sum of \$517.25, and George M. Stroud, and Eleanor his wife, and Mary Hallowell, the sum of \$1,182.75, being the amounts awarded to them respectively, as damages for the opening of Charlotte Street through their property, provided no warrant shall be drawn for the payment of the same, until the City Solicitor certify that there are no liens against said property, or if any liens exist that they have been released."

Also,

Add after the word "police," in item ten, the words "Watch and Lamplighters."

Also,

Insert in the second section, after the word "appropriation" in the second line, the words, "except for the pay of Special and General Police, Watch and Lamplighters."

And also,

Add at the end of the second section, the words "and warrants for the pay of the Special and General Police, Watch and Lamplighters, shall be drawn by the Marshal of Police in the form and manner, and with the regulations prescribed in existing ordinances."

Common Council concurred in the amendments.

Mr. Gillingham,

Moved that Council do now proceed to the nomination of Chief Commissioner of Highways, Commissioners of Highways, Commissioners on City Property, Port Wardens and Police Magistrates.

Which was agreed to.

Chief Commissioner of Highways.

| | | |
|-------------|-----------|---------------------|
| Mr. Hoppel | nominated | Thomas Birch. |
| Mr. Smith | " | George Sturges. |
| Mr. Pomeroy | " | George Myers. |
| Mr. Verree | " | Parkhurst Shurlock. |

Commissioners of Highways.

| | | |
|----------------|-----------|---------------------|
| Mr. Smith | nominated | F. Emhardt. |
| Mr. Hilles | " | Joseph H. Comly. |
| Mr. Gillingham | " | Lewis Burke. |
| Mr. Eastwick | " | Rufus Bicknell. |
| Mr. Norton | " | Miller N. Everly. |
| Mr. Gratz | " | Thomas Rutter. |
| Mr. Hoppel | " | James H. Hurtt. |
| Mr. Stuart | " | James Conway. |
| Mr. O'Neill | " | Joseph Ritterson. |
| Mr. Laws | " | J. J. Gumpfer. |
| Mr. Giller | " | James A. Bowie. |
| Mr. Painter | " | John H. Parker. |
| Mr. Verree | " | Amos A. Gregg. |
| Mr. Davenport | " | Thos. M. Femington. |
| Mr. Andress | " | Charles McCowen. |
| Mr. Matthews | " | Daniel B. Smith. |
| Mr. Scheetz | " | John Benner. |
| Mr. Berry | " | Benjamin Franklin. |
| Mr. Wickersham | " | John Bosler. |
| " | " | John H. Scott. |
| Mr. Hoppel | " | Jacob B. Garlinger. |
| Mr. Manuel | " | Edward S. Fitch. |
| Mr. Newell | " | E. L. Mintzer. |

| | | |
|-------------|-----------|---------------------|
| Mr. Gray | nominated | Joseph Govett. |
| Mr. Painter | “ | Wm. Einwechter. |
| “ | “ | George Day. |
| Mr. Butcher | “ | John W. Everman. |
| Mr. Pomeroy | “ | George Myers. |
| Mr. Verree | “ | Parkhurst Shurlock. |
| Mr. Randall | “ | Lane Schofield. |

Commissioner of City Property.

| | | |
|-------------|-----------|--------------------|
| Mr. Smith | nominated | John Deihl. |
| Mr. Randall | “ | John Swift. |
| Mr. Wagner | “ | Benjamin Whitecar. |
| Mr. Scheetz | “ | George Smith. |

Port Wardens.

| | | |
|----------------|-----------|----------------------|
| Mr. Gibson | nominated | Paul J. Field. |
| Mr. Norton | “ | Henry B. Tatham. |
| Mr. Davenport | “ | Clement L. Hughes. |
| Mr. Mercer | “ | George C. Rickards. |
| Mr. Stuart | “ | Robert G. Huddle. |
| Mr. Bishop | “ | John R. Penrose. |
| Mr. Hoffman | “ | Charles M. Neal. |
| “ | “ | Charles B. Campbell. |
| Mr. Watt | “ | Wm. H. Gray. |
| Mr. Randall | “ | S. Morris Waln. |
| Mr. Scheetz | “ | John H. Scheetz. |
| Mr. Wickersham | “ | N. Waldron. |
| Mr. Randall | “ | E. W. Keyser. |
| “ | “ | Charles Rugan. |
| Mr. Harper | “ | Samuel P. Shoemaker. |
| Mr. Laws | “ | Jacob T. Jones. |
| “ | “ | James S. Wattson. |
| Mr. Lloyd | “ | Wm. Neal. |
| “ | “ | James H. Stroup. |
| Mr. Newell | “ | Wm. Curry. |

| | | |
|----------------|-----------|----------------------|
| Mr. Gillingham | nominated | Wm. B. Elliott. |
| Mr. O'Neill | " | George W. Burr. |
| Mr. Painter | " | Wm. Einwechter. |
| Mr. Bumm | " | John Byerly. |
| Mr. Gillingham | " | James Keen. |
| Mr. Green | " | Michael Day. |
| Mr. Bumm | " | Randolph W. Evans. |
| Mr. Gratz | " | Aaron P. Bilyeu. |
| Mr. Manuel | " | Charles P. Whitecar. |
| Mr. Smith | " | W. P. Potter. |
| Mr. Hilles | " | Alfred G. Rowland. |
| " | " | Charles James. |
| Mr. Butcher | " | J. P. Levy. |
| " | " | Stephen P. Morris. |
| Mr. Norton | " | James S. Pearson. |
| Mr. Dennis | " | George C. West. |
| Mr. Giller | " | Edmund Weatherby. |
| Mr. Wagner | " | John M. Kennedy. |
| Mr. Bishop | " | A. J. Bueknor. |
| Mr. Randall | " | John Devereux. |
| Mr. Hilles | " | Wm. Baldwin. |
| Mr. Stuart | " | David Jayne. |
| Mr. Address | " | David Horne. |
| Mr. Gillingham | " | George P. Mercer. |
| Mr. Abbey | " | Henry Simons. |
| Mr. Norton | " | Edward C. Knight. |
| Mr. Gray | " | J. J. Allen. |
| " | " | Isaac Jeanes. |
| Mr. Newell | " | James C. Hand. |
| Mr. Bumm | " | Wm. Mitchell. |
| Mr. Green | " | John Green. |
| Mr. Giller | " | Thomas B. Wade. |

Police Magistrates.

| | | | |
|-----------|-----------|---------------|-----------------------|
| 1st Ward, | Mr. Berry | nominated | Wm. Allen. |
| " | " | Mr. Houseman | " Thomas Dallas. |
| 2d | " | Mr. Davenport | " David L. Donaldson. |
| " | " | Mr. Dougherty | " Joseph Enue. |
| 3d | " | Mr. Demis | " Charles Isard. |
| 4th | " | Mr. Giller | " Robert Gaw. |
| " | " | Mr. Dougherty | " Abr'm McGarry. |
| 5th | " | Mr. Abbey, | " John B. Kenny. |
| " | " | Mr. Stuart, | " Elisha Crowell. |
| " | " | Mr. Abbey, | " S. H. Simmons. |
| " | " | " | " C. D. Freeman. |
| 6th | " | Mr. Hoffman | " Joshua Mitchell. |
| " | " | Mr. Smith, | " C. Brazer. |
| " | " | Mr. Norton | " Joel Cook. |
| 7th | " | Mr. Gray | " Joseph F. Shermer. |
| " | " | " | " George Armstrong. |
| " | " | Mr. Watt | " Thomas Kerr. |
| 8th | " | Mr. Randall | " Williams Ogle. |
| 9th | " | Mr. Copeland | " John Thompson. |
| 10th | " | Mr. Cowell | " Jacob Snider. |
| " | " | " | " Wm. H. Hibbert. |
| 11th | " | Mr. Harper | " Jacob B. Coats. |
| " | " | Mr. Horn | " John G. Wolfe. |
| " | " | Mr. Andress | " Wm. H. Hubbard. |
| 12th | " | Mr. Wagner | " Samuel L. Clement. |
| " | " | Mr. Laws | " George Erety. |
| 13th | " | Mr. Pomeroy | " Wm. H. Butler. |
| 14th | " | Mr. Matthews | " Wm. G. Conrow. |
| 15th | " | Mr. Newell | " John Henry. |
| 16th | " | Mr. Painter | " A. H. Shoemaker. |
| 17th | " | Mr. O'Neill | " Hugh Clark. |
| " | " | Mr. Austin | " James Bell. |

| | | | |
|------------|----------------|-----------|-------------------|
| 17th Ward, | Mr. Gillingham | nominated | Thomas Walton. |
| 18th | “ Mr. Green | “ | John Clouds. |
| “ | “ “ | “ | Isaac B. Dare. |
| 19th | “ Mr. Corlies | “ | James H. Taggart. |
| 20th | “ Mr. Gratz | “ | Thomas H. Palmer. |
| 21st | “ “ | “ | Moses Miller. |
| 22d | “ Mr. Roberts | “ | Robert H. Thomas. |
| “ | “ Mr. Smith | “ | Joseph King, Jr. |
| 23d | “ Mr. Hilles | “ | Amos A. Gregg. |
| 24th | “ Mr. Butcher | “ | Henry Wynkoop. |
| “ | “ “ | “ | Thomas J. Watson. |

Mr. Giller offered the following resolution :

Resolved, By the Select and Common Council, that the Committee on City Property be instructed to take into consideration the propriety of having the State House painted.

Which was read twice and adopted.

Mr. Davenport

Presented a communication from James Horner, soliciting the appointment of Superintendent of Public Wharves and Landings.

Which was laid on the table.

Mr. Lloyd

Presented a petition from a number of citizens and owners of property on Clinton Street, between Cumberland and Huntingdon Streets, in the Nineteenth Ward, asking that said street may be graded as soon as possible.

Which was referred to the Committee on Highways, &c.

Select Council

Informs this Council, that they have concurred in the bill, entitled “ An Ordinance to establish and organize the Department of City Surveyors and Regulators,” with the following amendments :

Section first, strike out in third line, the word "12," and insert "13."

Section second, strike out in second line, the word "12" and insert "13." Ninth line, read Fifth District, Eleventh, Twelfth and Thirteenth Wards, one Surveyor; Sixth District, Seventeenth and Eighteenth Wards, one Surveyor.

Section seventh, strike out in sixth line the word "copy," and insert "duplicate."

Also, strike out in eighth line, the words, "and copy."

Strike out in tenth line, the word "copies," and insert "duplicates."

Strike out in thirteenth line, the word "copy," and insert "duplicate."

Section twelfth, strike out in third and fourth lines, "and no permit to build shall be issued or allowed until such survey is made," and insert, "and the Surveyor shall, within ten days after notice is given, survey any and all lots in his district."

Section fifteenth, strike out in the fifth line, "\$1500," and insert "\$1200."

Section sixth, second line, after the word "the," insert the words, "City Surveyors;" and after the word "Clerk," the word, "each."

Mr. Eastwick

Moved that Council do now proceed to the consideration of the same.

Which was agreed to.

Common Council concurred in the fifth, sixth, seventh, eighth, ninth, tenth and eleventh amendments.

And non-concurred in the first, second, third and fourth amendments.

Mr. Davenport

Presented a communication from a number of citizens on Fitzwater Street between Broad and Seventeenth Streets, asking that gas may be introduced in said street.

Which was referred to the Committee on Gas.

Mr. Roberts

Presented a communication from a large number of citizens, remonstrating against the establishment on Main Street of a market stand, extending from Mill Street northwardly to Centre Street, in the late borough of German-town.

Which was referred to the Committee on Markets.

Mr. Hoppel

Moved that Council do now adjourn.

Which was agreed to.

Adjourned.

THURSDAY, September 28th, 1854.

Council met—Present,

Messrs. Abbey,
Andress,
Berry,
Bishop,
Balch,
Bunn,
Binder,
Butcher,
Boswell,
Copeland,
Cowell,
Conrad,
Corlies,
Crispin,
Dunk,
Davenport,
Dennis,
Dubree,
Eastwick,
Gibson,
Giller,
Grove,
Gray,
Griscom,
Gillingham,
Gay,
Green,
Gratz,
Houseman,
Hoffman,
Harper,
Horn,

Messrs. Hacker,
Hubbard,
Hoppel,
Hilles,
Hassinger,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Powell,
Pomeroy,
Parham,
Painter,
Preston,
Randall,
Rhoads,
Roberts,
Stuart,
Scheetz,
Shuster,
Smith,
Stallman,
Taylor,
Verree,
Watt,
Wagner,
Diehl, *President.*

Mr. Painter

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Rhoads

Presented a communication from a number of owners of property on Carver Street, between Seventeenth and Eighteenth Streets, asking that gas-pipe may be laid on said Street.

Which was referred to the Committee on Gas.

Mr. Dunk

Presented a petition from a number of citizens, asking that the tract of land of sixty acres situated on the Rope Ferry Road, south of Passyunk Road, known as the Girard Homestead, and formerly the property and residence of Stephen Girard, may be purchased for a Public Park.

Which was referred to the Committee on Law.

Mr. Pomeroy

Presented a communication from a number of citizens, recommending John G. Woertz, of the Thirteenth Ward, for Clerk of the Market.

Which was laid on the table.

Mr. Gibson

Presented a bill of John Kain for grading Gray's Ferry Road, for the sum of \$880.79.

Which was referred to the Committee on Claims.

Mr. Bumm

Presented a communication from a number of ladies, Managers of the Northern Home for Friendless Children, situated on Buttonwood Street, below Broad, asking that the third story of the station house (opposite their building) may be used by them.

Which was referred to the Committee on City Property.

Mr. Manuel

Presented a communication from a number of owners and occupants of property on Delaware Seventh Street, between Poplar and Oxford Streets, asking that gas-pipes may be laid along said Street.

Which was referred to the Committee on Gas.

Mr. Address

Presented a communication from Samuel Price, soliciting the appointment of Commissioner of Markets.

Which was laid on the table.

The President

Laid before Councils a communication from F. Fraley, President of the Philadelphia Gas Works, asking the attention of Councils to the state of the Gas Works, and requesting such appropriations as are needed to meet the claims of the Trust against the City, and, if it should be deemed advisable, to supply Street mains, metres, and service-pipes, for the applications of new customers.

Which was referred to the Committee on Gas.

Also,

Two communications from James Cooper, President of the Sunbury and Erie Railroad Company, in relation to the further exploration of the route of said road, west of the mouth of Bennett's Branch of the Simmahoning.

Which were laid upon the table.

Mr. Giller

Presented the following:

A bill of James McCloskey for laying gas main in the Twenty-fourth Ward, for \$3000.

Which was referred to the Local Committee of the Twenty-fourth Ward.

Mr. Boswell

Presented a communication from a number of citizens and property holders on Chestnut Street in the Twenty-fourth Ward, relative to the curbing of said street.

Which was also referred to the Local Committee of the Twenty-fourth Ward.

Mr. Abbey

Presented a communication from a number of citizens, recommending Isaac S. Atkinson for Commissioner of Market Houses.

Which was referred to the Committee on Markets.

Mr. Norton

Presented a communication from a number of citizens and property owners on Florida and Temple Streets, from Fitzwater to Catherine Streets, asking that water pipes may be laid in said streets.

Which was referred to the Committee on Water Works.

Mr. Gratz

Presented a communication from Samuel D. Mansfield, asking that the sum of \$17.87 may be paid him, the amount of salary for thirteen nights as policeman, the duty of which he was prevented from discharging in consequence of having been stabbed during a riot at Lemon Hill.

Which was referred to the Committee on Police.

Mr. Gillingham

Presented a communication from Philip Lauer, soliciting the appointment of Clerk of Market.

Which was referred to the Committee on Markets.

Mr. Boswell

Presented a communication from property owners on Washington Street, between William and Till Streets in the Twenty-fourth Ward, remonstrating against paving said street.

Which was referred to the Committee on Highways, &c.

Mr. Taylor

Presented a communication from a number of citizens, relative to the opening of Norris Street, between Second and Fourth Streets, in the Nineteenth Ward.

Which was referred to the Committee on Highways, &c.

Mr. Martiën

Presented a communication from residents and owners of property in the vicinity of Race, Chester and Eighth Streets, asking that a culvert may be constructed in Race street.

Which was referred to the Committee on Highways, &c.

The President

Laid before Councils a communication from W. Milnor Roberts, Civil Engineer, recommending Strickland Kneass for the office of City Surveyor.

Which was referred to the Committee on Surveys, &c.

Also,

A communication from F. Fraley, recommending Strickland Kneass for City Surveyor.

Which was also referred to the Committee on Surveys, &c.

Mr. Giller

From the Committee on Finance, presented the following report :

The undersigned, members of the Committee on Finance, beg leave to offer the following Ordinance, entitled "An Ordinance to make an appropriation for the expenses of the department of the Receiver of Taxes," and ask its adoption.

M. S. WICKERSHAM,
Chairman.

Committee Room, Sept. 28, 1854.

Mr. Giller

Moved that Council do now proceed to the consideration of the same.

Which was agreed to.

Section first being under consideration,

Mr. Gibson

Moved a division of the question on the salaries.

Which was agreed to.

The first division was agreed to.

The second division was agreed to.

The third division was agreed to.

The fourth division was agreed to.

The fifth division being under consideration,

The yeas and nays were demanded by Messrs. Gibson and Crispin.

And being ordered were as follows :

AYES—Messrs. Abbey, Andress, Berry, Butcher, Boswell, Copeland, Cowell, Dunk, Dennis, Giller, Grove, Gillingham, Gratz, Hoffman, Harper, Horn, Hacker, Hoppel, Matthews, Manuel, Norton, Newell, Parham, Painter, Preston, Randall, Rhoads, Stallman, Wagner.

NAYS—Messrs. Balch, Bumm, Binder, Conrad, Corlies, Crispin, Davenport, Dubree, Gibson, Gay, Hubbard, Hasinger, Mercer, O'Neill, Pomeroy, Scheetz, Shuster, Taylor, Verree, Diehl, *President*.

Yeas 29 ; nays 20.

So it was agreed to.

The sixth division was agreed to.

The seventh division was agreed to.

The eighth division was agreed to.

Mr. Randall

Moved to amend by adding the following as the ninth division :

“ For fitting up the office of the Receiver of Taxes \$2426.24.”

Mr. Gibson

Moved the further consideration of the bill be postponed for the present and printed for the use of the members.

On this question the yeas and nays were demanded by Messrs. Gibson and Cowell.

And being ordered were as follows:

AYES—Messrs. Abbey, Boswell, Conrad, Crispin, Dunk, Gibson, Hoffman, Hubbard, Hoppel, Hassinger, Mercer, O'Neill, Pomeroy, Scheetz, Shuster, Taylor, Diehl, *President*.

NAYS—Messrs. Andress, Balch, Bumm, Binder, Butcher, Cowell, Davenport, Dennis, Eastwick, Giller, Grove, Gray, Gay, Green, Gratz, Harper, Horn, Haeker, Hilles, Moran, Martien, Matthews, Manuel, Norton, Newell, Parham, Painter, Preston, Randall, Rhoads, Roberts, Stuart, Smith, Stallman, Verree, Wagner.

Ayes 17; nays 36.

Which was not agreed to.

The amendment was then agreed to.

The section as amended was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was by special order read the third time, and agreed to.

Mr. Gillingham

Moved that the regular order of business be postponed for the purpose of offering a resolution.

Which was agreed to.

Mr. Gillingham then offered the following resolution:

Resolved, That the Clerk inform Select Council that this chamber is prepared to meet them in convention, for the purpose of electing a Commissioner of City Property, Chief Commissioner of Highways, Commissioners of Highways, Port Wardens and Committing Magistrates.

Which was twice read and agreed to.

Mr. Balch

Moved that the regular order of business be further suspended, for the purpose of offering a resolution.

Which was agreed to.

Mr. Balch

Then offered the following preamble and resolution :

Whereas, a delegation from the City Councils of Boston is shortly expected to visit this city. Therefore,

Resolved, That a joint committee of five from each chamber, one of whom shall be the President of the chamber, be appointed to receive said delegates, and make suitable arrangements for their entertainment during their stay.

Which was read twice and agreed to.

And Messrs. Balch, Martien, Gratz, Eastwick and Diehl, *President*, were appointed as that committee.

Select Council concurred.

And appointed Messrs. Smith, Pratt, Hutchinson, P. A. Keyser and Verree, *President*.

Message from Select Council

Informing this Council that they are prepared to meet in convention for the purpose of electing Port Wardens and Police Magistrates.

Mr. Giller

From the Committee on Finance, presented the following report :

The undersigned, members of the Committee on Finance, beg leave to offer the accompanying ordinance, entitled "An Ordinance to pay certain claims against the corporation, and ask its adoption."

M. S. WICKERSHAM,

Chairman.

Committee Room, September 28th, , 1854.

Mr. Giller

Moved that Council do now proceed to the consideration of the same.

Which was agreed to.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill was, by special order, read the third time and agreed to.

Select Council concurred.

Mr. Randall

Moved that the regular order of business be suspended for the purpose of offering a resolution.

Which was agreed to.

And then offered the following resolution :

Resolved, That the Board of Managers of the Sunbury and Erie Railroad Company are hereby authorized to locate the route of the Sunbury and Erie Road from Warren to Erie, if in their opinion sufficient surveys and explorations have been made thereon.

Mr. Stuart

Moved that the resolution be postponed, and referred to the Committee on Railroads.

Mr. Boswell

Moved to amend by adding the following : " And that the Committee be instructed to report at the next stated meeting of Councils."

Which was accepted.

On the question to postpone, the ayes and nays were demanded by Messrs. Moran and Hubbard.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Bishop, Bumm, Binder, Conrad, Corlies, Crispin, Dunk, Davenport, Gibson, Gillingham, Gay, Green, Horn, Hubbard, Hoppel, Hassinger, Mercer, Moran, Martien, Matthews, Manuel, Norton, O'Neill, Powell, Parham, Rhoads, Roberts, Stuart, Scheetz, Shuster, Wagner, Diehl, *President*.

NAYS—Messrs. Andress Berry, Balch, Boswell, Copeland, Dennis, Dubree, Eastwick, Giller, Grove, Gray, Griscom, Gratz, Houseman, Hoffinan, Harper, Hacker, Hilles, Magarge, Newell, Pomeroy, Painter, Preston, Randall, Smith, Stallman, Taylor, Verree, Watt.

Yeas 33; nays 29.

Which was agreed to.

Mr. Gratz

Chairman of Committee on Police, presented the following report:

The Police Committee, to whom was referred the resolution relative to the adoption of some suitable uniform or badge for the policemen, respectfully report, that the Mayor has decided to adopt the following as a uniform and equipment for the policemen, to wit: Each individual policeman to provide himself with a plain black suit and hat with glazed top; all of which to be furnished at his own cost and expense, unless Councils should hereafter provide them.

Each policeman to be provided, at the expense of the City, with the usual mace and rattle, also with a badge with the City arms stamped thereon, which badge is to be worn conspicuously on the outside of the coat.

Each policeman also to provide himself with a revolver, to be purchased at his own cost and expense, and of the kind designated by the Mayor, and the cost thereof credited to such policeman and repaid to him by his successor.

The revolvers, however, to be carried only at the discretion and under the orders of the Mayor.

EDWARD GRATZ,
Chairman.

Sept. 28th, 1854.

Mr. Gibson

Moved to lay the report upon the table.

On this motion the yeas and nays were demanded by Messrs. Berry and Gibson.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Berry, Copeland, Conrad, Corlies, Crispin, Davenport, Dubree, Gibson, Gray, Gay, Green, Houseman, Harper, Horn, Hubbard, Mercer, Pomeroy, Painter, Randall, Rhoads, Scheetz, Shuster, Taylor, Watt.

NAYS—Messrs. Andress, Bishop, Balch, Bumm, Binder, Butcher, Boswell, Cowell, Dunk, Dennis, Eastwick, Giller, Grove, Gillingham, Gratz, Hoffman, Hacker, Hoppel, Hilles, Hassinger, Moran, Martien, Matthews, Manuel, Magarge, Norton, Newell, O'Neill, Powell, Parham, Preston, Roberts, Stuart, Smith, Stallman, Verree, Wagner, Diehl, *President*.

Yeas 25; nays 38.

So the motion was not agreed to.

Mr. Martien

Moved that the report be accepted.

Mr. Gillingham

Moved the previous question, which was sustained by the following gentlemen rising in their seats :

Messrs. Binder, Manuel, Gibson, Mercer, Bumm, Verree, Hoffman, Eastwick, Boswell, and Hubbard.

On the question " shall the main question be now put ? " viz: to accept the report,

The yeas and nays were demanded by Messrs. Painter and Gibson.

And being ordered, were as follows :

YEAS—Messrs. Bishop, Balch, Bumm, Binder, Butcher, Boswell, Cowell, Conrad, Dunk, Eastwick, Giller, Grove, Griscom, Gillingham, Gay, Gratz, Hoffman, Horn, Hacker, Hubbard, Moran, Martien, Matthews, Manuel, Magarge, Norton, Rhoads, Smith, Stallman, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Berry, Copeland, Corlies, Crispin, Davenport, Dennis, Dubree, Gibson, Gray, Green, Houseman, Harper, Hoppel, Hilles, Hassinger, Mercer, O'Neill,

Powell, Pomeroy; Parham, Painter, Preston, Randall, Roberts, Scheetz, Shuster, Taylor, Watt.

Yeas 32; nays 28.

So the motion was agreed to and the report accepted.

Mr. Griscom

Presented a communication from C. Robinson and John D. Park, of New York City, in relation to the Fire Alarm Telegraph.

Which was referred to the Joint Special Committee on that subject.

The following message was received from the Mayor:

MAYOR'S OFFICE, }
Phila. Sept. 28th, 1854. }

To the President of Common Council:

SIR:—I have this day approved and signed the following ordinances:

An Ordinance entitled "An Ordinance to make an appropriation to pay certain claims against the Corporation."

An Ordinance entitled "An Ordinance to fix the regulation of ascents and descents and the width of the foot and the cart way of Gold Street, between Second and Dock Streets."

An Ordinance entitled "An Ordinance to make an appropriation to the Board of Managers of the Wills' Hospital, for the use of said Hospital for the year eighteen hundred and fifty-four."

An Ordinance entitled "An Ordinance to make an appropriation for the expenses of the Department of the City Controller."

An Ordinance entitled "An Ordinance to make an appropriation to the Treasury Department for the purposes therein mentioned."

An Ordinance entitled "An Ordinance to authorize the construction of certain culverts."

An Ordinance entitled "An Ordinance to provide for the renewal of lost certificates of City Debt."

An Ordinance entitled "An Ordinance to make an appropriation for the payment of certain claims against the Corporation."

An Ordinance entitled "An Ordinance to make an appropriation for the expenses of the Department of the City Treasurer."

A Resolution entitled "Resolution adopted by the Select and Common Councils of the City of Philadelphia, this 21st day of September, A. D. 1854."

A Resolution entitled "Resolution to authorize the City Treasurer to employ temporary clerks."

R. T. CONRAD,

Mayor.

Mr. Verree

Moved to suspend the order of business for the purpose of taking up the resolution from Select Council relative to the election of Port Wardens.

Mr. Hoppel

Moved to amend to strike out all after the word "business," and insert "for the purpose of offering a resolution."

Which was agreed to, when

Mr. Hoppel offered the following:

Resolved, That the Clerk be directed to notify Select Council that this Council will now receive them in Convention for the purpose of electing the various Heads of Departments, as established by Ordinance, and agreeably to the Consolidation Act.

Mr. Verree

Moved to amend to strike out all after the word "Resolved," and insert the following:

"That the Select Council be informed that this Council

is now ready to receive that body for the purpose of electing Port Wardens and Police Magistrates.

Which amendment was agreed to.

And the resolution as amended was adopted.

Mr. Moran

Moved to re-consider the vote by which the resolution in relation to the route of the Sunbury and Erie Railroad was postponed, and referred to the Committee on Railroads, &c.

On this question the yeas and nays were demanded by Messrs Moran and Bishop.

And being ordered, were as follows:

YEAS—Messrs. Andress, Berry, Bishop, Bumm, Eastwick, Giller, Griscom, Gratz, Houseman, Hoffman, Harper, Hacker, Hassinger, Moran, Martien, Matthews, Manuel, Magarge, Newell, O'Neill, Pomeroy, Painter, Preston, Randall, Rhoads, Smith, Stallman, Verree, Watt, Wagner.

NAYS—Messrs. Abbey, Balch, Binder, Butcher, Boswell, Copeland, Cowell, Conrad, Dunk, Davenport, Dennis, Dubree, Gibson, Gay, Green, Horn, Hubbard, Hoppel, Hilles, Powell, Parham, Roberts, Stuart, Scheetz, Shuster, Diehl, *President*.

Yeas 30 ; nays 26.

So the motion was agreed to.

The President, clerk and members of Select Council having been introduced, took their seats in convention.

Mr. Verree

Moved that we now proceed to an election for Port Wardens.

Which was agreed to.

Mr. Norton

Moved to proceed to elect eight for two years first, and afterwards eight for one year.

Mr. Randall

Moved to amend, that the eight having the highest

number of votes be declared elected for two years, and the eight lowest for one year.

Which amendment was accepted.

Mr. Balch

Moved that we elect firstly, eight for two years, and secondly eight for one year.

Which amendment was agreed to.

And the motion thus amended was agreed to.

Mr. Norton

Moved to go into nomination in convention for eight Port Wardens for two years.

Mr. P. A. Keyser

Moved to amend, that the nominations made by the two chambers be adopted.

Which was agreed to.

ELECTION.

First ballot seventy-eight votes cast, two elected.

Common Council,

Messrs. Berry, Davenport, Gibson, Giller, Green, Houseman, Mercer, Matthews, Powell, Rhoads, Schetz, Stallman.

12 voted for Paul J. Field.

Select Council,

Messrs. Hinman, Marselis, Selby, Verree.

4 voted for Henry B. Tatham.

Common Council,

Messrs. Berry, Bishop, Balch, Dunk, Dennis, Gibson, Giller, Gillingham, Gay, Green, Hoffman, Harper, Horn, Hacker, Hoppel, Mercer, Moran, Martien, Magarge, Norton, Stuart, Verree, Wagner, Diehl, *President*.

24 voted for Henry B. Tatham.

In all 28 votes.

Common Council,

Mr. Taylor voted for J. Ritterson.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, Roberts, Selby.

6 voted for Clement L. Hughes.

Common Council,

Messrs. Bumm, Gibson, Dennis, Hoppel, Rhoads, Verree.

6 voted for Clement L. Hughes.

In all 12 votes.

Select Council,

Messrs. Selby, H. L. Smith and Waterman.

3 voted for George C. Rickards.

Common Council,

Messrs. Berry, Dunk, Dennis, Gibson, Hoppel, Has-singer, Norton, Painter, Diehl, *President*.

9 voted for George C. Rickards.

In all 12 votes.

Select Council,

Mr. Duffee voted for Robert G. Huddell.

Common Council,

Messrs. Andress, Balch, Gray, Harper, Stuart.

5 voted for Robert G. Huddell.

In all 6 votes.

Common Council,

Messrs. Abbey, Balch, Boswell, Crispin, Green, Har-per, Stallman.

7 voted for John R. Penrose.

Select Council,

Messrs. Hutchinson, Kline, Pratt, Roberts, Selby, H. L. Smith, Stokes, Waterman.

8 voted for Charles M. Neal.

Common Council,

Messrs. Andress, Berry, Bishop, Balch, Bumm, Binder, Boswell, Cowell, Corlies, Crispin, Dunk, Dennis, Eastwick, Giller, Grove, Gray, Green, Houseman, Hoffman, Harper, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Roberts, Scheetz, Shuster, Stallman, Taylor, Verree, Watt, Wagner, Diehl, *President*.

47 voted for Charles M. Neal.

In all 55 votes. Elected for 2 years.

Select Council,

Messrs. W. S. Smith, Waterman, Verree.

3 voted for Charles O. B. Campbell.

Common Council,

Messrs. Bumm, Demis, Giller, Gray, Griscom, Gillingham, Hilles, Magarge, Powell, Parham, Stuart, Watt, Diehl, *President*.

13 voted for Charles O. B. Campbell.

In all 16 votes.

Select Council,

Messrs. Bullock, Caldwell, P. A. Keyser, Waterman.

4 voted for William H. Gray.

Common Council,

Messrs. Andress, Berry, Balch, Bumm, Butcher, Boswell, Cowell, Corlies, Dunk, Davenport, Eastwick, Gray, Gibson, Griscom, Gillingham, Houseman, Hoffinan, Horn, Hilles, Manuel, Newell, Powell, Pomeroy, Parham, Painter, Randall, Shuster, Stallman.

28 voted for William H. Gray.

In all 32 votes.

Select Council,

Messrs. Duffee, Hinman, Hutchinson, N. L. Keyser,

P. A. Keyser, Pratt, Roberts, H. L. Smith, W. S. Smith, Waterman, Verree.

11 voted for S. Morris Waln.

Common Council,

Messrs. Abbey, Balch, Cowell, Giller, Grove, Griscom, Gay, Hoffman, Harper, Horn, Hubbard, Hassinger, Magarge, Painter, Randall, Roberts, Stallman, Verree, Wagner.

19 voted for S. Morris Waln

In all 30 votes.

Common Council,

Messrs. Balch, Corlies, Crispin, Hubbard, Manuel, Powell, Roberts, Taylor.

8 voted for John H. Scheetz.

Common Council,

Mr. Balch voted for N. Waldron.

Select Council

Messrs. Bullock, Caldwell, Cornman, Duffec, Hinman, Hutchinson, Nathan L. Keyser, Peter A. Keyser, Kline, Dr. Knorr, Dr. Marselis, Pratt, Roberts, Selby, H. L. Smith, Wm. S. Smith, Stokes, Waterman, Verree, *President*.

19 voted for Elhanan W. Keyser.

Common Council,

Messrs. Abbey, Andress, Bumm, Binder, Butcher, Boswell, Copeland, Cowell, Dunk, Eastwick, Giller, Grove, Gray, Griscom, Gay, Hoffman, Harper, Horn, Hacker, Hubbard, Hoppel, Hilles, Martien, Magarge, Newell, Powell, Parham, Painter, Randall, Rhoads, Shuster, Stallman, Watt, Wagner, Diehl, *President*.

35 voted for Elhanan W. Keyser.

54 votes in all. Elected for two years.

Select Council

Messrs. Hinman, N. L. Keyser, P. A. Keyser, Pratt, W. S. Smith.

5 voted for Charles Rugau.

Common Council,

Messrs. Butcher, Copeland, Corlies, Magarge, Randall.

5 voted for Charles Rukan.

10 votes in all.

Common Council,

Messrs. Address, Gray, Harper, Horn, Powell, Parham, Stuart.

7 voted for Samuel P. Shoemaker.

Common Council,

Mr. Stallman voted for Jacob T. Jones.

Common Council,

Messrs. Corlies and Taylor.

2 voted for James S. Watson.

Common Council,

Mr. Hubbard voted for William Neal.

Select Council

Messrs. Bullock and Kline.

2 voted for James H. Stroup

Common Council

Messrs. Address, Binder, Grove, Gray, Houseman, Hacker, Hubbard, Hassinger, Pomeroy, Painter, Shuster, Stallman, Watt.

13 voted for James H. Stroup.

15 votes in all.

Select Council

Messrs. Caldwell and Cornman.

2 voted for William Curry.

Common Council,

Messrs. Bumm, Eastwick, Gibson, Green, Hubbard, Moran, Matthews, Manuel, Norton, Newell, Rhoads, Verree.

12 voted for William Curry.

14 votes in all.

Select Council

Messrs. Bullock, Caldwell, Hutchinson, Kline, Knorr, Roberts, Stokes, Verree, *President*.

9 voted for William B. Elliott.

Common Council

Messrs. Address, Bishop, Bumm, Gray, Gillingham, Gay, Hacker, Hilles, Hassinger, Moran, Martien, Painter, Randall, Verree, Watt.

15 voted for William B. Elliott.

In all 24 votes.

Select Council,

Mr. William O. Kline voted for George W. Burr.

Common Council,

Messrs. Corlies, Hubbard, Hassinger, Manuel, Roberts, Verree.

6 voted for George W. Burr.

In all 7 votes.

Select Council,

Messrs. Knorr and Marselis.

2 voted for James Keen.

Common Council,

Messrs. Address, Dubrec, Parham, Roberts, Scheetz, Taylor.

6 voted for James Keen.

In all 8 votes.

Select Council,

Messrs. Bullock, Caldwell, Hutchinson.

3 voted for Michael Day.

Common Council,

Messrs. Binder, Gay, Horn, Parham, Taylor.

5 voted for Michael Day.

In all 8 votes.

Select Council,

Mr. Knorr voted for Randolph W. Evans.

Common Council,

Messrs. Gillingham and Gay.

2 votes for Randolph W. Evans.

In all 3 votes.

Select Council,

Messrs. Duffee and W. S. Smith.

2 voted for John Devereux.

Common Council,

Messrs. Griscom and Martien.

2 voted for John Devereux.

In all 4 votes.

Common Council,

Messrs. Binder, Grove, Matthews, Manuel, Rhoads, Scheetz.

6 voted for Aaron P. Bilyeu.

Common Council,

Messrs. Gibson and Manuel.

2 voted for Charles P. Whitecar.

Select Council,

Mr. Stokes voted for William P. Potter.

Common Council,

Messrs. Green and Scheetz.

2 voted for William P. Potter.

In all 3 votes.

Select Council

Messrs. Cornman, Hinman, Kline, Knorr, Pratt, W. S. Smith, Stokes, Verree, *President*.

8 voted for Albert G. Rowland.

Common Council,

Messrs. Abbey, Copeland, Crispin, Gibson, Houseman, Hoffman, Horn, Haeker, Hilles, Hassinger, Matthews, Margare, Pomeroy, Roberts, Randall, Shuster, Stallman, Taylor, Verree.

19 voted for Albert G. Rowland.

In all 27 votes.

Select Council,

Mr. Wm. S. Smith voted for Isaac Jeanes.

Common Council,

Messrs. Abbey, Newell, Watt.

3 voted for Isaac Jeanes.

In all 4 votes.

Select Council,

Messrs. N. L. Keyser, Knorr, Marselis.

3 voted for George G. West.

Common Council,

Mr. Griscom voted for George G. West.

In all 4 votes.

Common Council,

Messrs. Berry, Butcher, Copeland, Crispin, Giller, Matthews, Rhoads.

7 voted for J. P. Levy.

Select Council,

Messrs. Cornman, N. L. Keyser, P. A. Keyser, Pratt, W. S. Smith.

6 voted for Stephen P. Morris.

Common Council,

Messrs. Berry, Butcher, Boswell, Dunk, Dennis, Griscom, Houseman, Hoffman, Moran, Mercer, Norton, Powell, Roberts, Stuart.

14 voted for Stephen P. Morris.

In all 20 votes.

Common Council,

Messrs. Bishop, Davenport, Green, Norton, Rhoads,
Stuart, Scheetz.

7 voted for James S. Pearson.

Select Council,

Mr. H. L. Smith voted for Edmund Weatherby.

Common Council,

Messrs. Butcher, Gibson, Giller, Grove, Houseman,
Mercer, Moran, Matthews.

8 voted for Edmund Weatherby.

In all 9 votes.

Select Council,

Messrs. Duffee, Knorr, Pratt.

3 voted for John M. Kennedy.

Common Council,

Messrs. Cowell, Gray, Hassinger.

3 voted for John M. Kennedy.

In all 6 votes.

Select Council,

Mr. Duffee voted for A. J. Bucknor.

Common Council,

Messrs. Abbey, Bishop, Butcher, Giller, Norton, Stuart.

6 voted for A. J. Bucknor.

In all 7 votes.

Select Council,

Messrs. Duffy, Hinman, Waterman.

3 voted for David Jayne.

Common Council,

Messrs. Abbey, Boswell, Copeland, Cowell, Dennis,
Griscom, Horn, Martien.

8 voted for David Jayne.

In all 11 votes.

Common Council,

Messrs. Abbey, Bishop, Balch, Crispin, Giller, Grove,
Horn, Newell, Painter, Randall.

10 voted for David Horne.

Common Council,

Messrs. Dennis, Gillingham, Gay.

3 voted for George P. Mercer.

Select Council,

Messrs. Cornman, Marsellis.

2 voted for Edward C. Knight.

Common Council,

Messrs. Bishop, Boswell, Martien, Norton.

4 voted for Edward C. Knight.

In all 6 votes.

Select Council,

Mr. Hutchinson voted for Henry Simons.

Common Council,

Messrs. Abbey, Andress, Bumm, Binder, Crispin, East-
wick, Grove, Green, Hilles, Hassinger, Martien, Manuel,
Norton, Newell, Roberts, Stuart, Scheetz, Shuster, Wagner,
Diehl, *President*.

20 voted for Henry Simons.

In all 21 votes.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Roberts.

5 voted for James C. Hand.

Common Council,

Messrs. Binder, Butcher, Copeland, Cowell, Dennis,
Gay, Houseman, Manuel, Magarge.

9 voted for James C. Hand.

In all 14 votes.

Select Council,

Messrs. Cornman, Kline, Selby, Stokes, Verree.

5 voted for William Mitchell.

Common Council,

Messrs. Bumm, Hilles, Newell.

3 voted for William Mitchell.

In all 8 votes.

Select Council,

Mr. Marselis voted for Thomas B. Wade.

Common Council,

Mr. Gibson voted for Thomas B. Wade.

In all 2 votes.

Select Council,

Messrs. Bullock, Caldwell, N. L. Keyser, P. A. Keyser, Marselis, Roberts, H. L. Smith, Waterman.

8 voted for Samuel Merrick.

Common Council,

Messrs. Copeland, Dennis, Hassinger, Mercer, Verree.

5 voted for Samuel Merrick.

In all 13 votes.

Select Council,

Messrs. Cornman, Hinman, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Pratt, Selby, H. L. Smith, Stokes, Verree.

12 voted for John Byerly.

Common Council,

Messrs. Abbey, Bumm, Dunk, Dennis, Green, Hacker, Hoppel, Martien, Painter, Wagner, Diehl, *President*.

11 voted for John Byerly.

In all 23 votes.

Select Council,

Messrs. Hinman, W. S. Smith.

2 voted for Alfred Cope.

Common Council,

Messrs. Butcher, Magarge.

2 voted for Alfred Cope.

In all 4 votes.

Select Council,

Messrs. P. A. Keyser, N. L. Keyser.

2 voted for Jas. Manderson.

Common Council,

Messrs. Taylor, Wagner.

2 voted for Jas. Manderson.

In all 4 votes.

Select Council,

Mr. Hutchinson voted for Joseph Wood.

Select Council,

Mr. H. L. Smith voted for Wm. Shankland.

There being 78 votes cast ; necessary for a choice, 39 votes.

Messrs. Elhanan W. Keyser, received 54 votes, and Charles M. Neal, 55 votes, having received a majority of the votes cast, were duly elected Port Wardens for two years.

Mr. Randall

Moved to go into an election for six Port Wardens for 2 years.

Which was agreed to.

When 72 votes were cast.

Second Ballot, four elected.

Select Council,

Messrs. Cornman, Hinman, N. L. Keyser, Peter A.

Keyser, Kline, Knorr, Pratt, Roberts, W. S. Smith, Verree, *President*.

10 voted for John Byerly.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Balch, Bumm, Butcher, Boswell, Corlies, Davenport, Eastwick, Gray, Griscom, Gillingham, Gay, Green, Hoffman, Horn, Hacker, Hoppel, Mercer, Moran, Martien, Matthews, Norton, O'Neill, Parham, Painter, Randall, Rhoads, Shuster, Diehl, *President*.

32 voted for John Byerly.

42 votes in all. Elected.

Select Council,

Messrs. Bullock, Duffee, Hinman, Nathan L. Keyser, Peter A. Keyser, Pratt, Roberts, Verree, *President*.

8 voted for William H. Gray.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Balch, Bumm, Binder, Butcher, Cowell, Corlies, Dunk, Davenport, Eastwick, Grove, Griscom, Gillingham, Gay, Houseman, Hoffman, Horn, Hacker, Hubbard, Hoppel, Hassinger, Mercer, Martien, Manuel, Magarge, O'Neill, Pomeroy, Painter, Randall, Shuster, Smith, Verree, Watt, Diehl, *President*.

37 voted for William H. Gray.

In all 45 votes. Elected.

Select Council,

Messrs. Cornman, Hutchinson, Kline, Knorr, Pratt, Roberts, Selby, H. L. Smith, Stokes, Verree, *President*.

10 voted for W. B. Elliott.

Common Council,

Messrs. Abbey, Andress, Bishop, Balch, Bumm, Binder, Butcher, Boswell, Copeland, Corlies, Dunk, Davenport, Dubree, Eastwick, Giller, Gray, Gillingham, Gay, Horn, Hubbard, Hoppel, Hilles, Mercer, Martien, Manuel, Magarge,

O'Neill, Powell, Pomeroy, Parham, Painter, Randali, Roberts, Smith, Verree, Watt.

36 voted for W. B. Elliott. Elected.

In all 46 votes.

Select Council,

Messrs. Bullock, Hinman, Nathan L. Keyser, Peter A. Keyser, Kline, Knorr, Marselis, Pratt, H. L. Smith.

9 voted for Stephen P. Morris.

Common Council,

Messrs. Berry, Bishop, Balch, Butcher, Boswell, Corlies, Dunk, Davenport, Dennis, Eastwick, Giller, Grove, Gray, Griscom, Green, Houseman, Hoffman, Hoppel, Hilles, Moran, Manuel, Magarge, Norton, O'Neill, Powell, Parham, Randall, Roberts, Stuart, Shuster, Verree, Watt, Wagner.

33 voted for Stephen P. Morris.

In all 42 votes. Elected.

Select Council,

Messrs. N. L. Keyser, P. A. Keyser, H. L. Smith.

4 voted for Henry B. Tatham.

Common Council,

Messrs. Andress, Cowell, Dubree, Giller, Grove, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Mercer, Moran, Martien, Norton, Powell, Pomeroy, Painter, Shuster, Smith, Verree, Wagner, Diehl, *President*.

23 voted for Henry B. Tatham.

In all 27 votes.

Select Council,

Messrs. Caldwell, Hutchinson, Selby, H. L. Smith.

4 voted for Clement L. Hughes.

Common Council,

Messrs. Gibson, Moran, Rhoads.

3 voted for Clement L. Hughes.

In all 7 votes.

Select Council,

Messrs. Marselis, H. L. Smith.

2 voted for George C. Rickards.

Common Council,

Messrs. Dennis, Norton.

Voted for George C. Rickards.

In all 4 votes.

Select Council

Mr. Caldwell voted for R. G. Huddell.

Select Council,

Mr. Caldwell voted for Charles Rukan.

Common Council,

Mr. Hassinger voted for Charles Rukan.

In all 2 votes.

Select Council,

Mr. Hinman voted for John Devereux.

Select Council,

Messrs. Bullock, Kline, Knorr.

3 voted for James H. Stroup.

Common Council,

Mr. Grove voted for James H. Stroup.

In all 4 votes.

Select Council,

Messrs. Caldwell, Cornman, Pratt.

3 voted for William Curry.

Common Council,

Messrs. Bishop, Bumm, Dunk, Davenport, Matthews,
Manuel, Newell, Rhoads.

8 voted for William Curry.

In all 11 votes.

Select Council,

Messrs. Stokes, Verree.

2 voted for William Mitchell.

Common Council,

Mr. Moran voted for William Mitchell.

In all 3 votes.

Select Council,

Messrs. Bullock, Hutchinson, Kline.

3 voted for Michael Day.

Common Council,

Mr. Green voted for Michael Day.

In all 4 votes.

Select Council,

Messrs. Caldwell, Hutchinson, Marselis, Selby, Stokes.

5 voted for Aaron P. Bilyeu.

Common Council,

Messrs. Dubree, Manuel, Parham, Rhoads.

4 voted for Aaron P. Bilyeu.

In all 9 votes.

Select Council,

Messrs. Hutchinson, P. A. Keyser.

2 votes for Chas. James.

Common Council,

Messrs. Boswell, Eastwick, Green, Gray, Hacker, Magarge, Parham.

7 voted for Charles James.

In all 9 votes.

Select Council,

Mr. Hinman voted for George G. West.

Select Council,

Mr. Kline voted for David Horne.

Common Council,

Mr. Hassinger voted for David Horne.

In all 2 votes.

Select Council,

Messrs. N. L. Keyser, Knorr, Marselis, Roberts, H. L. Smith.

5 voted for Samuel V. Merrick.

Common Council,

Messrs. Boswell, Dennis, Stuart.

3 voted for Samuel V. Merrick.

In all 8 votes.

Common Council,

Messrs. Dunk, Powell, Rhoads.

3 voted for Paul J. Fields.

Messrs. Boswell, Dunk.

2 voted for John R. Penrose.

Mr. Gibson voted for John H. Scheetz.

Mr. Andress 1 voted for Samuel P. Shoemaker.

Messrs. Boswell, Gillingham, Houseman, Matthews, Rhoads.

5 voted for J. P. Levy.

Mr. Gibson voted for Edmund Weatherby.

Mr. Dennis voted for George P. Mercer.

Mr. Gibson voted for John Green.

Messrs. Boswell, Copeland, Eastwick.

3 voted for Alfred Cope.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Stokes.

7 voted for S. Morris Waln.

Common Council,

Messrs. Abbey, Balch, Binder, Cowell, Corlies, Dubree, Giller, Grove, Griscom, Gay, Hoffman, Horn, Hubbard, Hassinger, Mercer, Martien, Magarge, O'Neill, Painter, Roberts, Stuart, Shuster, Smith, Verree, Watt, Wagner, Diehl, *President*.

27 voted for S. Morris Waln.

In all 34 votes.

Select Council,

Mr. Kline voted for Henry Simons.

Common Council,

Messrs. Abbey, Address, Balch, Bumm, Binder, Cowell, Corlies, Eastwick, Giller, Grove, Gray, Gillingham, Green, Houseman, Hubbard, Hassinger, Matthews. Manuel, Magarge, Norton, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Roberts, Stuart, Shuster, Wagner, Diehl, *President*.

31 voted for Henry Simons.

In all 32 votes.

Select Council,

Messrs. Selby, Verree.

2 voted for C. O. B. Campbell.

Common Council,

Messrs. Berry, Bishop, Bumm, Davenport, Dennis, Dubree, Giller, Gray, Griscom, Houseman, Hoffman, Hacker, Hubbard, Martien, Matthews, Magarge, Pomeroy, Randall, Roberts, Stuart, Watt, Wagner.

22 voted for C. O. B. Campbell.

In all 24 votes.

Select Council,

Messrs. Bullock, Cornman, Hinman, Kline, Knorr, Pratt, Roberts, Stokes, Verree, *President*.

9 voted for Albert G. Rowland.

Common Council,

Messrs. Abbey, Bishop, Butcher, Cowell, Gillingham, Gay, Hoffman, Horn, Hassinger, Mercer, Matthews, Parham, Roberts, Shuster, Smith, Verree, Watt, Wagner, Diehl, *President*.

19 voted for Albert G. Rowland.

In all 28 votes.

Mr. Painter

Moved to proceed to an election for the two remaining Wardens.

Which was agreed to.

When 57 votes were cast.

Third ballot, two elected.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hinman, Hutchinson, Nathan L. Keyser, Peter A. Keyser, Kline, Knorr, Roberts, Stokes, Verree, *President*.

12 voted for Henry Simons.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Bumm, Binder, Butcher, Cowell, Corlies, Dunk, Eastwick, Grove, Gillingham, Green, Horn, Hacker, Hubbard, Hassinger, Moran, Martien, Manuel, Norton, Newell, Pomeroy, Painter, Randall, Roberts, Stuart, Shuster, Smith, Watt, Wagner, Diehl, *President*.

33 voted for Henry Simons.

In all 45 votes. Elected.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hinman, Hut-

chinson, Nathan L. Keyser, Peter A. Keyser, Kline, Roberts, Stokes.

10 voted for S. Morris Waln.

Common Council,

Messrs. Abbey, Address, Berry, Bishop, Bumm, Binder, Butcher, Cowell, Corlies, Dunk, Dubree, Eastwick, Grove, Griscom, Gillingham, Horn, Hacker, Hubbard, Martien, Manuel, Painter, Randall, Stuart, Shuster, Verree, Watt, Wagner.

27 voted for S. Morris Waln.

In all 37 votes. Elected.

Select Council,

Mr. Marselis voted for H. B. Tatham.

Common Council,

Messrs. Dubree, Giller, Green, Moran, Norton, Powell.

6 voted for H. B. Tatham.

In all 7 votes.

Select Council

Messrs. Selby, H. L. Smith.

2 voted for Clement L. Hughes.

Common Council,

Messrs. Davenport, Mercer.

2 voted for Clement L. Hughes.

In all 4 votes.

Select Council,

Messrs. Marselis, Selby, H. L. Smith.

3 voted for George C. Rickards.

Common Council,

Messrs. Davenport, Mercer.

2 voted for George C. Rickards.

In all 5 votes.

Select Council,

Mr. Verree voted for Albert G. Rowland.

Common Council,

Messrs. Hassinger, Roberts, Smith, Verree.

4 voted for Albert G. Rowland.

In all 5 votes.

Common Council,

Messrs. Matthews, Newell, Rhoads.

3 voted for William Curry.

Messrs. Griscom, Pomeroy.

2 voted for Chas. B. O. Campbell.

Messrs. Giller, Powell, Diehl, *President*.

3 voted for James S. Pearson.

Messrs. Matthews, Rhoads.

2 voted for J. P. Levy.

Mr. Gibson voted for Paul J. Fields.

Mr. Gibson voted for Edmund Weatherby.

Port Wardens elected for two years:

Elhanan W. Keyser,

Charles M. Neal,

William B. Elliott,

William H. Gray,

S. Morris Wahn,

Henry Simons,

John Byerly,

Stephen P. Morris.

Convention then proceeded to an election for eight Port Wardens for one year.

When 66 votes were cast.

Ballot for Port Wardens for one year.

Select Council,

Messrs. Hinman, N. L. Keyser, P. A. Keyser, Marselis, Selby.

5 voted for Henry B. Tatham.

Common Council,

Messrs. Hinman, Dubree, Gibson, Giller, Horn, Moran, Norton, Smith.

8 voted for Henry B. Tatham.

In all 13 votes.

Select Council,

Messrs. Hinman, N. L. Keyser, P. A. Keyser.

3 voted for John Devereux.

Select Council,

Messrs. Kline, Marselis.

2 voted for James Keen.

Common Council,

Messrs. Dubree, Hassinger.

2 voted for James Keen.

In all 4 votes.

Select Council,

Messrs. Bullock, Cornman, Kline, Verree.

4 voted for William Mitchell.

Common Council,

Messrs. Bumm, Hoppel.

2 voted for William Mitchell.

In all 6 votes.

Select Council,

Messrs. Bullock, Cornman, Kline.

3 voted for Michael Day.

Common Council,

Messrs. Corlies, Dennis, Horn, Newell, Parham.

5 voted for Michael Day.

In all 8 votes.

Select Council,

Messrs. Hinman, N. L. Keyser, P. A. Keyser, Knorr,
Marselis, H. L. Smith.

6 voted for George G. West.

Select Council,

Mr. H. L. Smith voted for Edmund Weatherby.

Common Council,

Mr. Gibson voted for Edmund Weatherby.

In all 2 votes.

Select Council,

Mr. Marselis voted for Thomas B. Wade.

Mr. H. L. Smith voted for Wm. Shankland.

Messrs. Hinman, N. L. Keyser, P. A. Keyser, Knorr.

4 voted for John M. Kennedy.

Common Council,

Messrs. Dubree and Hassinger.

2 voted for John M. Kennedy.

In all 6 votes.

Select Council,

Messrs. Bullock, Cornman, Hinman, N. L. Keyser, P.
A. Keyser, Knorr, Marselis, H. L. Smith, Verree.

9 votes for Samuel V. Merrick.

Common Council,

Messrs. Binder, Griscom, Gay.

3 voted for Samuel V. Merrick.

In all 12 votes.

Select Council;

Messrs. Hinman, N. L. Keyser, P. A. Keyser, Knorr.

4 votes for Paul J. Field.

Common Council,

Messrs. Abbey, Davenport, Gibson.

3 voted for Paul J. Field.

In all 7 votes.

Messrs. Andress, Davenport, Griscom, Mercer, Roberts.

5 voted for John R. Penrose.

Mr. Green voted for Mr. Potter.

Messrs. Abbey, Giller, Grove, Gay, Green, Horn, Hassinger, Newell, Painter, Wagner.

10 voted for David Horne.

Mr. Gibson voted for George P. Mercer.

Mr. Gibson voted for Edward C. Knight.

Messrs. Hassinger and Martien voted for James C. Hand.

Mr. Corlies voted for Isaac Jeanes.

Messrs. Shuster and Green voted for John Green.

Select Council,

Messrs. Caldwell, Hutchinson, Kline, Knorr, Marselis, Roberts, Selby, Stokes, Verree, *President*.

9 voted for Aaron P. Bilyeu.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Butcher, Cowell, Dubree, Eastwick, Grove, Gray, Griscom, Gay, Houseman, Horn, Hacker, Hubbard, Hoppel, Hassinger, Martien, Matthews, Manuel, Magarge, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads,

Roberts, Stuart, Shuster, Smith, Verree, Watt, Diehl,
President.

37 voted for Aaron P. Bilyeu.

In all 46 votes. Elected for one year.

Select Council,

Messrs. Caldwell, Hutchinson, Marselis, Roberts, H.
L. Smith, Stokes.

6 voted for Jas. S. Pearson.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Butcher, Cowell, Corlies, Dunk, Davenport, Eastwick, Giller, Grove, Gray, Griscom, Gillingham, Gay, Green, Houseman, Hacker, Hubbard, Hoppel, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Roberts, Stuart, Shuster, Smith, Verree, Watt, Wagner, Diehl, *President.*

43 voted for James S. Pearson.

In all 49 votes. Elected for one year.

Select Council,

Messrs. Caldwell, Hutchinson, Roberts, Selby, Stokes.

5 voted for Samuel P. Shoemaker.

Common Council,

Messrs. Andress, Berry, Binder, Cowell, Dunk, Dubree, Gibson, Giller, Grove, Gillingham, Gay, Houseman, Horn, Hacker, Hubbard, Hoppel, Mercer, Martien, Matthews, Manuel, O'Neill, Powell, Parham, Painter, Randall, Rhoads, Stuart, Shuster, Verree, Watt, Diehl, *President.*

31 voted for Samuel P. Shoemaker.

In all 36 votes. Elected for one year.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, Kline, Knorr, Roberts, Selby, Stokes, Verree, *President.*

10 voted for Albert G. Rowland.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Butcher, Cowell, Corlies, Dunk, Dubree, Eastwick, Giller, Gray, Gillingham, Green, Houseman, Horn, Hacker, Hubbard, Hassinger, Mercer, Martien, Matthews, Manuel, Magarge, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Roberts, Stuart, Shuster, Smith, Verree, Watt, Wagner, Diehl, *President*.

40 voted for Albert G. Rowland.

In all 50 votes. Elected for one year.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hinman, Hutchinson N. L. Keyser, P. A. Keyser, Roberts, Stokes, Verree, *President*.

11 voted for Charles James.

Messrs. Abbey, Andress, Berry, Binder, Butcher, Cowell, Corlies, Davenport, Dennis, Eastwick, Grove, Gray, Griscom, Hacker, Hubbard, Hoppel, Hassinger, Martien, Matthews, Manuel, Newell, O'Neill, Parham, Painter, Randall, Rhoads, Roberts, Stuart, Shuster, Verree, Watt, Wagner, Diehl, *President*.

33 voted for Charles James.

In all 44 votes. Elected for one year.

Select Council,

Messrs. Bullock, Hutchinson, Kline, Marselis, Roberts, Stokes.

6 voted for James H. Stroup.

Common Council,

Messrs. Andress, Berry, Binder, Cowell, Corlies, Dunk, Dubree, Eastwick, Giller, Grove, Gray, Griscom, Gillingham, Hacker, Hubbard, Hassinger, Moran, Martien, Matthews, Manuel, Newell, O'Neill, Powell, Pomeroy, Parham, Rhoads, Roberts, Stuart, Shuster, Smith, Verree, Watt, Wagner, Diehl, *President*.

34 voted for James H. Stroup.

In all 40 votes. Elected for one year.

Select Council,

Messrs. Caldwell, Cornman, Hutchinson, Roberts, H. L. Smith, Wm. S. Smith, Verree, *President*.

7 voted for William Curry.

Common Council,

Messrs. Address, Berry, Binder, Butcher, Cowell, Dunk, Dennis, Dubree, Eastwick, Gibson, Grove, Gray, Griscom, Gillingham, Gay, Green, Houseman, Horn, Hacker, Hubbard, Hoppel, Mercer, Moran, Martien, Natthews, Manuel, Norton, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Roberts, Stuart, Shuster, Smith, Verree, Watt, Wagner, Diehl, *President*.

43 voted for William Curry.

In all 50 votes. Elected for one year.

Select Council,

Messrs. Bullock, Caldwell, Hutchinson, Kline, Roberts, H. L. Smith, Stokes, Verree, *President*.

8 voted for C. O. B. Caupbell.

Common Council,

Messrs. Abbey, Address, Berry, Bumm, Binder, Butcher, Cowell, Corlies, Dunk, Dubree, Eastwick, Giller, Grove, Gray, Gillingham, Green, Houseman, Horn, Hacker, Hubbard, Hoppel, Mercer, Moran, Martien, Matthews, Manuel, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Roberts, Stuart, Shuster, Smith, Verree, Watt, Wagner, Diehl, *President*.

42 voted for C. O. B. Campbell.

In all 50 votes. Elected for one year.

Mr. Verree

Moved to adjourn.

Which was not agreed to.

Mr. Pomeroy

Moyed to proceed to an election for Police Magistrates, and elect by Wards.

Which was agreed to.

Mr. Randall

Moved to adjourn.

Which was not agreed to.

Mr. Roberts

Moved that each member vote for 26 Police Magistrates.

Which was agreed to.

When 51 votes were cast.

*Ballot for Police Magistrates; elected in all but the
Seventeenth Ward, there being no choice.*

The Convention proceeded to the election of William Allen and Thomas Dallas for Police Magistrates of the First Ward.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

13 votes each for William Allen and Thomas Dallas.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Cowell, Corlies, Dunk, Davenport, Dubree, Eastwick, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

36 votes each for William Allen and Thomas Dallas.

In all 49 votes. Both elected; two for First Ward.

SECOND WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Knorr, Roberts, Selby, H. L. Smith, Verree, *President*.

11 voted for D. L. Donaldson.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

32 voted for D. L. Donaldson.

In all 43 votes. Elected.

Select Council,

Messrs. Kline, Marselis.

2 voted for Joseph Eneue.

Common Council,

Messrs. Corlies, Dubree, Hassinger, O'Neill, Powell.

5 voted for Joseph Eneue.

In all 7 votes.

THIRD WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Knorr, Roberts, Selby, H. L. Smith, Verree, *President*.

11 voted for Charles Isard.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

33 voted for Charles Isard.

In all 44 votes. Elected.

FOURTH WARD.

Select Council,

Messrs. Bullock, Cornman, N. L. Keyser, P. A. Keyser, Roberts, Selby, H. L. Smith, Verree, *President*.

8 voted for Robert Gaw.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Pomeroy, Painter, Randall, Rhoads, Shuster, Watt, Wagner, Diehl, *President*.

38 voted for Robert Gaw.

In all 46 votes. Elected.

Select Council,

Messrs. Caldwell, Hutchinson, Kline, Knorr, Marselis.

5 voted for George H. Moore.

Common Council,

Messrs. Hassinger, O'Neill, Powell, Parham.

4 voted for George H. Moore.

In all 9 votes.

Common Council,

Mr. Dubree voted for Abraham McGarry.

FIFTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Roberts, Selby, H. L. Smith, Verree, *President*.

12 voted for John B. Kenny.

Common Council,

Messrs. Bumm, Binder, Cowell, Dunk, Davenport, Eastwick, Grove, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Manuel, Norton, Newell, Parham, Painter, Randall, Shuster, Verree, Watt, Wagner, Diehl, *President*.

26 voted for J. B. Kenny.

In all 38 votes. Elected.

Select Council,

Mr. Marselis voted for S. H. Simmons.

Common Council,

Messrs. Andress and Powell.

2 voted for S. H. Smimmons.

In all 3 votes.

Messrs. Berry, Gray, Matthews, Pomeroy, Rhoads.

5 voted for C. D. Freeman.

SIXTH WARD.

Select Council,

Messrs. Bullock, Cornman, N. L. Keyser, P. A. Keyser, Knorr, Roberts, Selby, H. L. Smith, Verrec, *President*.

9 voted for Joshua Mitchell.

Common Council,

Messrs. Berry, Bumm, Cowell, Eastwick Grove, Gray, Griscom, Gillingham, Green, Horn, Hacker, Hoppel, Hassinger, Martien, Matthews, Pomeroy, Painter, Randall, Rhoads, Shuster, Verree, Wagner, Diehl, *President*.

23 voted for Joshua Mitchell.

In all 32 votes. Elected.

Select Council,

Messrs. Caldwell, Kline, Marselis.

3 voted for C. Brazer.

Common Council,

Messrs. Davenport, Dubree, Gay, O'Neill.

4 voted for C. Brazier.

In all 7 votes.

Select Council,

Mr. Hutchinson voted for Joel Cook.

Common Council,

Messrs. Andress, Binder, Corlies, Manuel, Norton, Newell, Powell, Parham.

9 voted for Joel Cook.

In all 10 votes.

SEVENTH WARD.

Select Council,

Messrs. N. L. Keyser, P. A. Keyser, Knorr, Roberts, Selby, H. L. Smith, Verree, *President*.

8 voted for Joseph Shermer.

Common Council,

Messrs. Berry, Bumm, Binder, Cowell, Dunk, Davenport, Dubree, Grove, Gray, Gillingham, Green, Horn, Haacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Wagner, Diehl, *President*.

28 voted for Joseph Shermer.

In all 36 votes. Elected.

Select Council,

Messrs. Bullock, Caldwell, Hutchinson, Kline, Marselis.

5 voted for G. H. Armstrong.

Common Council,

Messrs. Andress, Eastwick, Griscom, Gay, Powell, Watt.

6 voted for G. H. Armstrong.

In all 11 votes.

EIGHTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

13 votes for Williams Ogle.

Common Council,

Messrs. Address, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Hassinger, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

35 voted for for Williams Ogle.

In all 48 votes. Elected.

NINTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, H. L. Smith, Verree, *President*.

12 voted for John Thompson.

Common Council,

Messrs. Address, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Hassinger, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

35 voted for John Thompson.

In all 47 votes. Elected.

TENTH WARD.

Select Council,

Messrs. Caldwell, Roberts, Selby, H. L. Smith, Verree, *President*.

5 voted for J. Snider.

Common Council,

Messrs. Address, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Dubree, Eastwick, Gray, Griscom, Gillingham, Gay, Horn, Hacker, Hoppel, Hassinger, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Rhoads, Verree, Wagner, Diehl, *President*.

29 voted for J. Snider.

In all 34 votes. Elected.

Select Council,

Messrs. Bullock, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis.

8 voted for W. H. Hibberd.

Common Council,

Messrs. Grove Green, Painter, Randall, Shuster, Watt.

6 voted for W. H. Hibberd.

In all 14 votes.

ELEVENTH WARD.

Select Council,

Messrs. Bullock, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

11 voted for Jacob Coats.

Common Council,

Messrs. Berry, Binder, Cowell, Dunk, Dubree, Eastwick, Griscom, Gay, Green, Hacker, Hoppel, Hassinger, Martien, Newell, O'Neill, Randall, Shuster, Verree, Watt.

19 voted for Jacob Coats.

In all 30 votes. Elected.

Select Council,

Mr. Knorr voted for Wm. H. Hubbard.

Common Council,

Messrs. Bumm, Gray, Gillingham, Pomeroy, Painter, Rhoads, Diehl, *President*.

7 voted for W. H. Hubbard,

In all 8 votes.

Select Council,

Mr. Caldwell voted for John G. Wolf.

Common Council,

Messrs. Andress, Davenport, Grove, Horn, Matthews,
Manuel, Norton, Powell, Parham, Wagner.

10 voted for John G. Wolf.

In all 11 votes.

TWELFTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, Kline,
Marselis, Verree, *President*.

7 voted for S. L. Clements.

Common Council,

Messrs. Berry, Bumm, Cowell, Eastwick, Grove, Gray,
Griscom, Horn, Hacker, Martien, Manuel, Norton, Newell,
Powell, Pomeroy, Painter, Randall, Shuster, Verree, Wag-
ner, Diehl, *President*.

21 voted for S. L. Clements.

In all 28 votes. Elected.

Select Council,

Messrs. N. L. Keyser, P. A. Keyser, Knorr, Roberts,
Selby, H. L. Smith.

6 voted for George Erety.

Common Council,

Messrs. Andress, Binder, Corlies, Dunk, Davenport, Du-
bree, Gillingham, Gay, Green, Hoppel, Hassinger, Matthews,
O'Neill, Parham, Rhoads, Watt.

16 voted for George Erety.

In all 22 votes.

THIRTEENTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

13 voted for William H. Butler.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

33 voted for William H. Butler.

In all 46 votes. Elected.

FOURTEENTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

13 voted for William G. Conrow.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Dubree, Eastwick, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

34 voted for William G. Conrow.

In all 47 votes. Elected.

FIFTEENTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

13 voted for John Henry.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Cowell, Corlies, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

36 voted for John Henry.

In all 49 votes. Elected.

SIXTEENTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

13 voted for A. H. Shoemaker.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Dubree, Eastwick, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Hassinger, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

35 voted for A. H. Shoemaker.

In all 48 votes. Elected.

SEVENTEENTH WARD.

Select Council,

Messrs. Hutchinson, Kline, Marselis.

3 voted for Hugh Clark.

Common Council,

Messrs. Corlies, Dubrec, Gay, Hassinger, O'Neill, Powell.

6 voted for Hugh Clark.

In all 9 votes.

Select Council,

Messrs. Bullock, Caldwell, N. L. Keyser, P. A. Keyser, Knorr, Roberts, Verree, *President*.

7 voted for James Bell.

Common Council,

Messrs. Eastwick, Grove, Gray, Norton, Pomeroy, Parham, Randall, Shuster, Watt, Wagner, Diehl, *President*.

11 voted for James Bell.

In all 18 votes.

Select Council,

Mr. Selby voted for Thomas Walton.

Common Council,

Messrs. Cowell, Matthews.

2 voted for Thomas Walton.

In all 3 votes.

Select Council,

H. L. Smith voted for Isaac. B. Dare.

Common Council,

Messrs. Andress, Berry, Bumm, Dunk, Davenport, Green, Hacker, Hoppel, Newell, Rhoads.

10 voted for Isaac B. Dare.

In all 11 votes.

EIGHTEENTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

13 voted for John Clouds.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Norton, Newell, O'Neill, Pomeroy, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

30 voted for John Clouds.

In all 43 votes. Elected.

Common Council,

Messrs. Corlies, Griscom, Manuel, Powell, Parham.

5 voted for Isaac B. Dare.

NINETEENTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

12 voted for James Taggart.

Common Council,

Messrs. Andress, Berry, Bumm, Binder, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Griscom, Gillingham,

Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Painter, Parham, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

33 voted for James Taggart.

In all 45 votes. Elected.

Common Council,

Messrs. Hassinger, O'Neill.

2 voted for James Cathers.

TWENTIETH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

13 voted for Thomas H. Palmer.

Common Council,

Messrs. Address, Berry, Bumm, Binder, Cowell, Corlies, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Hassinger, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

37 voted for Thomas H. Palmer.

In all 50 votes. Elected.

TWENTY-FIRST WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

11 voted for Moses Miller.

Common Council,

Messrs. Address, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Eastwick, Gray, Griscom, Gillingham, Gay,

Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

32 voted for Moses Miller.

In all 43 votes. Elected.

TWENTY-SECOND WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, Verree, *President*.

11 voted for Mr. Thomas.

Common Council,

Messrs. Andress, Berry, Cowell, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Hassinger, Martien, Manuel, Norton, Newell, O'Neill, Powell, Pomeroy, Parham, Painter, Shuster, Verree, Wagner, Diehl, *President*.

29 voted for Mr. Thomas.

In all 40 votes. Elected.

Select Council,

Mr. H. L. Smith, voted for Joseph King, Jr.

Common Council,

Messrs. Bumm, Binder, Horn, Randall, Rhoads.

5 voted for Joseph King, Jr.

In all 6 votes.

TWENTY-THIRD WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

11 voted for A. A. Gregg.

Common Council,

Messrs. Address, Berry, Bumm, Binder, Cowell, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Painter, Randall, Shuster, Verree, Watt, Wagner, Diehl, *President*.

33 voted for A. A. Gregg.

In all 44 votes. Elected.

Select Council,

Messrs. N. L. Keyser, P. A. Keyser.

2 voted for Mr. Onyx.

Common Council,

Mr. Hassinger voted for Mr. Onyx.

In all 3 votes.

TWENTY-FOURTH WARD.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Roberts, Selby, H. L. Smith, Verree, *President*.

For Thomas J. Watson and Henry Wynkoop 13 votes each.

Common Council,

Messrs. Address, Berry, Bumm, Binder, Cowell, Corlies, Dunk, Davenport, Dubree, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Horn, Hacker, Hoppel, Martien, Matthews, Manuel, Norton, Newell, Powell, Pomeroy, Parham, Painter, Randall, Rhoads, Shuster, Verree, Watt, Wagner, Diehl, *President*.

For Henry Wynkoop and Thomas J. Watson 35 votes each.

In all 48 votes each—both elected.

Mr. Randall

Moved to adjourn.

Which was agreed to.

Adjourned.

TUESDAY, October 3d, 1854.

A special meeting of Common Council was held this day—Present

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Houseman, |
| Andress, | Hoffman, |
| Austin, | Hoppel, |
| Berry, | Hilles, |
| Bishop, | Hassinger, |
| Bunn, | Laws, |
| Binder, | Moran, |
| Butcher, | Martien, |
| Boswell, | Matthews, |
| Copeland, | Manuel, |
| Cowell, | Norton, |
| Conrad, | Newell, |
| Dunk, | Powell, |
| Davenport, | Pomeroy, |
| Dennis, | Painter, |
| Dubree, | Read, |
| Eastwick, | Randall, |
| Gibson, | Stuart, |
| Giller, | Scheetz, |
| Grove, | Shuster, |
| Gray, | Smith, |
| Griscom, | Stallman, |
| Gillingham, | Watt, |
| Gay, | Wagner, |
| Green, | Diehl, <i>President.</i> |
| Gratz, | |

Mr. Smith

Moved that the regular order of business be suspended for the purpose of offering a resolution.

Which was subsequently withdrawn.

Mr. Gillingham

Offered the following preamble and resolution:

Whereas, The member of Select Council from the Fourteenth Ward, (O. P. Cornman,) did, in his place in that Chamber, on Tuesday last, make certain charges reflecting upon the integrity of a member of this Chamber; and,

Whereas, The said imputation is believed to be a base and calumnious declaration, unwarranted by any fact and unprincipled in purpose:

Therefore,

Resolved, That a committee of five be appointed to inquire into and report upon the subject referred to.

Which was read, when

Mr. Moran

Moved that the whole subject be laid on the table.

On this question the yeas and nays were demanded by Messrs. Randall and Berry.

And being ordered, were as follows:

YEAS—Messrs. Abbey, Address, Bishop, Binder, Boswell, Copeland, Cowell, Conrad, Dunk, Dennis, Dubree, Gibson, Giller, Grove, Gay, Hilles, Hassinger, Laws, Moran, Martien, Matthews, Norton, Newell, Pomeroy, Read, Randall, Rhoads, Stuart, Shuster, Smith, Stallman, Watt.

NAYS—Messrs. Berry, Bumm, Butcher, Davenport, Eastwick, Gray, Griscom, Gillingham, Green, Gratz, Houseman, Hoffman, Hoppel, Manuel, Painter, Scheetz, Wagner, Diehl, *President*.

Yeas 32; nays 18.

Which was agreed to.

Mr. Norton offered the following resolution:

Resolved, That the Clerk be instructed to inform Select Council that this Council is now ready to meet them in Convention for the purpose of electing a Commissioner of City

Property, a Chief Commissioner of Highways, six Commissioners of Highways, and a Police Magistrate for the Seventeenth Ward.

Which was twice read and adopted.

Mr. Gibson offered the following resolution:

Resolved, That the property holders on Gray's Ferry Road, between the Arsenal and the Ferry, be notified to fill up their foot-paths, in order that the Contractor may proceed without further delay to pave said road.

Mr. Copeland

Moved that the resolution be referred to the Committee on Highways.

Which was agreed to.

Council resumed the consideration of the resolution offered by Mr. Randall at the last meeting, relative to the location of the route of the Sunbury and Erie Railroad Company.

The question being on the motion to postpone and refer the resolution to the Committee on Railroads,

Mr. Griscom

Moved to amend, by adding the following, "with instructions to report to Councils on Thursday the 12th inst.

Mr. Martien

Moved an amendment to the amendment, by striking out "Thursday the 12th inst.," and insert in lieu thereof, "at their earliest convenience."

Which amendment was accepted.

Mr. Norton

Moved further to amend, by adding, "and that the committee be instructed to report the facts connected with the subject.

Which was also accepted.

The amendment was agreed to.

And the resolution as amended was agreed to.

The President

Laid before Council a communication from James Cooper, President of the Sunbury and Erie Railroad Company, containing resolutions passed by the Board of Directors of that Company, asking Councils to direct the Engineers appointed by them to unite with the Engineer of the Company in proceeding without delay to decide the route of the road, and report thereon to the President and Managers of the Company, or to rescind that part of the conditions so far as it relates to the route from Warren to Erie.

Which was referred to the Committee on Railroads.

Mr. Painter offered the following resolution :

Resolved, That the Committee on Police be instructed to inquire into the propriety of preparing an ordinance for the pay of equipping of the police as recommended by the Mayor, and report at their earliest convenience.

Which was read twice and agreed to.

Mr. Hoppel offered the following resolution :

Resolved, That the Committee on Highways be directed to report at the next stated meeting what action, if any, has been had in relation to the taking up of the railroad track on Third and Dock Streets.

Mr. Gillingham

Moved to amend, by striking out "the next stated meeting," and insert "Thursday the 12th inst."

Which was agreed to.

The resolution as amended was agreed to.

Mr. Giller

Moved that Council do now proceed to the consideration of the bill providing for the establishment of a sinking fund ; and on the motion being agreed to, moved that the same be re-committed to the Committee on Finance.

Which was also agreed to.

Mr. Eastwick

Presented a communication from Major C. M. Eakin, Civil Engineer, and late Principal Assistant of the Coast Survey, soliciting the appointment of Chief Surveyor of the City of Philadelphia, accompanied with testimonials of a highly recommendatory character from the following distinguished gentlemen:

Colonel J. J. Albert, of the Topographical Engineers, Washington.

Colonel Totten, of the Topographical Engineers, Washington.

Major Hartman Bache, of the Topographical Engineers, Washington.

Captain W. H. Swift, of the Topographical Engineers, Washington.

Commander George S. Blake, United States Navy.

Commander Thomas R. Gedney, United States Navy.

Edward Blunt, Esq., of the Coast Survey.

D. M. Boyce, Esq., of the Topographical Engineers.

Which were referred to the Committee on Surveys, &c.

Mr. Martien

In place read and presented a bill, entitled "An Ordinance to make an appropriation to the Clerks of Council for the purposes therein mentioned."

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

The bill was ordered to be prepared for a third reading.

The bill was by special order read the third time, and agreed to.

Message from Select Council

Informing this Council that they have passed the following resolution, and ask concurrence: *

Resolved, That Select Council will be prepared to meet Common Council on Thursday afternoon next, the 5th inst., to elect Chief Commissioners of Highways, Assistant Commissioners of Highways, Commissioner of City Property and Committing Magistrate of the Seventeenth Ward. And that said election shall be the special order of said day, and that the Clerk be directed to insert the same in the notices to the members.

Mr. Gillingham

Presented a communication from a number of citizens, recommending Thomas Burke for Commissioner of Markets.

Which was referred to the Committee on Markets.

Mr. Smith

Presented a petition from owners of property and residents of Washington Avenue, between the Railroad and Germantown Avenue, in the Twenty-second Ward, asking that said Avenue may be repaired and graded as soon as possible.

And moved that it be referred to the Local Committee of that ward.

Mr. Boswell

Moved to amend by striking out "Local Committee," and insert "Committee on Highways, &c."

Which was not agreed to.

The question recurring on the original motion,

It was agreed to.

Mr. Davenport presented the following:

To the Select and Common Council of the City of Philadelphia :

At a stated meeting of the Diligent Fire Engine Company, held September 11th, the following resolutions were adopted:

Whereas, The Diligent Fire Engine Company of Philadelphia was founded in benevolence, and desires to exist only because of its usefulness to the community; and whereas, riot and disorder are antagonistic to the principles of our existence. Therefore,

Resolved, That this Company, having entire confidence in the wisdom and integrity of the Select and Common Councils of the City of Philadelphia, are willing to submit to the operation of such wise and wholesome laws as the judgment of Councils may determine to be necessary for the better government of the Fire Department of Philadelphia, for the peace of the community, and for the sure eradication of existing evils: *Provided*, such enactments recognize the voluntary system as a principle of common philanthropy.

Resolved, That a copy of the same be forwarded to City Councils.

ANDREW J. BAKER,
Secretary.

Which was referred to the Committee on Trust and Fire Department.

Mr. Painter offered the following resolution:

Resolved, That the Committee on Highways be instructed to inquire into the propriety of having a bridge erected over Gunner's Run, where Franklin Avenue crosses it, and report to this Chamber at their earliest convenience.

Which was twice read and adopted.

Select Council

Informs this Council that they adhere to the amendment in the bill entitled "An Ordinance to establish and organize the Department of City Surveyors and Regulators," in the second section, ninth and tenth lines.

And have appointed their Committee of Conference, consisting of Messrs. P. A. Keyser, Roberts and Miller.

Messrs. Eastwick, Norton and Gibson were appointed on behalf of Common Council.

Select Council

Informs this Council that they have passed the bill entitled "An Ordinance to make an appropriation to the Law Department," and ask concurrence.

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

The bill was, by special order, read the third time and agreed to.

So Common Council concurred.

Mr. Bishop

Presented a communication from property owners on Delaware River front, between the Navy Yard and Greenwich Point, asking that the wharf line may be established at an early day.

Which was referred to the Committee on Port Wardens, &c.

Also,

A communication from Joseph S. Russell, soliciting the appointment of Superintendent of Public Landings, accompanied with a communication from a number of citizens recommending him for said office.

Which was referred to the Committee on Port Wardens, &c.

The President

Laid before Council a communication from Frederick Burt, soliciting the appointment of City Surveyor.

Which was referred to the Committee on Surveys, &c.

Also,

A communication from Edward D. Roberts, of the Fourteenth Ward, of like import.

Which was also referred to the Committee on Surveys, &c.

Mr. Norton offered the following resolution :

Resolved, That the Clerk be instructed to inform Select Council that this Council will be ready to meet them in Convention on Thursday afternoon next, the 5th inst., for the purpose of electing a Chief Commissioner of Highways, six Commissioners of Highways, Commissioner of City Property and a Police Magistrate of the Seventeenth Ward ; and that said election shall be the special order of that day, and that the Clerk be instructed to insert a notice of this resolution in the notices to the members.

Mr. Martien

Moved to amend, so as to conform to a resolution passed by this chamber to-day, by naming "The Commissioner of City Property" first.

Which was accepted.

And the resolution adopted.

Mr. Moran

Moved a call of the house.

And being ordered, it was found that only 32 members were present, and less than a quorum.

Present—Messrs. Abbey, Andress, Austin Bishop, Binder, Butcher, Boswell, Cowell, Conrad, Dunk, Davenport, Giller, Gray, Gay, Green, Houseman, Hoffman, Hilles, Hassinger, Laws, Moran, Martien, Matthews, Manuel, Newell, Powell, Read, Rhoads, Stuart, Shuster, Wagner, Diehl,
President.

Mr. Gray

Moved that this Council do now adjourn.

Which was not agreed to.

Mr. Andress

Moved that Council take a recess of fifteen minutes.

Which was agreed to.

At the expiration of that time there being less than a quorum of members present,

Mr. Newell

Moved that we do now adjourn.

Which was agreed to.

Adjourned.

THURSDAY, October 5th, 1854.

Council met—Present,

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Bumm,
Boyle,
Binder,
Butcher,
Boswell,
Cowell,
Conrad,
Corlies,
Crispin,
Dunk,
Davenport,
Dennis,
Dougherty,
Dubree,
Eastwick,
Gibson,
Giller,
Grove,
Gray,
Griscom,
Gillingham,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Hoffman,
Harper,

Messrs. Horn,
Hubbard,
Hoppel,
Hilles,
Hassinger,
Lloyd,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Norton,
Newell,
O'Neill,
Powell,
Pomeroy,
Parham,
Painter,
Preston,
Read,
Randall,
Rhoads,
Roberts,
Stuart,
Scheets,
Shuster,
Smith,
Stallman,
Taylor,
Watt,
Wagner,
Diehl, *President.*

Mr. Hoppel

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Gillingham

Moved that the regular order of business be suspended for the purpose of offering a resolution.

And on the motion being agreed to, offered the following resolution :

Resolved, That the building occupied by the Treasurer and Register in the Seventeenth Ward, (late District of Kensington,) be and the same is hereby appropriated to the use of the Mayor, for the purposes of a Police Station House for the said Seventeenth Ward.

Mr. Boswell

Moved that the resolution be referred to the Committee on Police.

Mr. O'Neill

Moved to amend, by striking out "Committee on Police," and insert "Committee on City Property."

Which was accepted.

Message from Select Council

Informing this Council that they are now ready to meet in convention for the purpose of electing the officers indicated in the resolution adopted at the last meeting of Councils.

Mr. Newell

Moved that all further business be suspended for the purpose of receiving the Select Council in Convention, to elect a Commissioner of City Property, Chief Commissioner of Highways, six Commissioners of Highways, and a Police Magistrate for the Seventeenth Ward, and that the Clerk be directed to notify that body of the same.

Which was agreed to.

Mr. Eastwick

Moved that Council do now proceed with the regular order of business.

Which was agreed to.

The question being on the motion to refer the resolution offered by Mr. Gillingham to the Committee on City Property,

It was agreed to.

The President and members of Select Council were then introduced, and proceeded with the election.

Mr. Crispin

Moved that the Convention do now proceed to ballot for Commissioner of City Property.

Which was agreed to.

When 85 votes were cast.

Vote for Commissioner of City Property.

Select Council,

Messrs. Hinman, Selby.

2 voted for John Diehl.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Bumm, Binder, Butcher, Cowell, Crispin, Duuk, Davenport, Dennis, Dubree, Eastwick, Gibson, Giller, Grove, Gray, Gillingham, Green, Gratz, Houseman, Hoffman, Horn, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Pomeroy, Parham, Painter, Read, Rhoads, Roberts, Stuart, Smith, Stallman, Wagner, Diehl, *President.*

49 voted for John Diehl.

In all 51 votes. Elected.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Hague, Hutchinson, Jones, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Miller, Pratt, Sandgran, W. S. Smith, Stokes, Thomas, Waterman.

Common Council,

Messrs. Balch, Boswell, Conrad, Dougherty, Griscom, Gay, Harper, Preston, Randall, Shuster, Taylor, Watt.

12 voted for John Swift.

In all 31 votes.

Messrs. Austin, Corlies, Scheetz.

3 voted for George Smith.

Mr. Hutchinson

Moved that we now ballot for Chief Commissioner of Highways.

Which was agreed to.

When 85 votes were cast.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Hague, Hinman, Hutchinson, Jones, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Miller, Pratt, Sandgran, Selby, W. S. Smith, Stokes, Thomas, Waterman.

21 voted for Thomas Birch.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Balch, Bumm, Binder, Butcher, Cowell, Conrad, Corlies, Crispin, Dunk, Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Giller, Grove, Gray, Griscom, Gillingham, Gay, Green, Gratz, Houseman, Hoffman, Harper, Horn, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Pomeroy, Parham, Painter, Preston, Read, Randall, Rhoads, Roberts, Stuart, Shuster, Smith, Stallman, Watt, Wagner, Diehl, *President*.

60 voted for Thomas Birch

In all 81 votes. Elected.

Common Council,

Messrs. Austin, Boswell, Scheetz, Taylor.

4 voted for George Myers.

Mr. Norton

Moved that the Convention do now proceed to ballot for six Commissioners of Highways.

Which was agreed to.

Mr. Hutchinson

Moved that each member vote for six Commissioners at one time.

Which was also agreed to.

When 87 votes were cast.

F. Emhart, John H. Parker, C. McCowan, M. N. Everly, George Meyers, J. H. Hurtt, were elected.

Select Council,

Messrs. Cornman, Duffee, Hague, P. A. Keyser, Knorr, Marselis, Sandgran.

7 voted for Miller N. Everly.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Bumm, Boyle, Binder, Butcher, Cowell, Crispin, Dunk, Davenport, Dennis, Dougherty, Gibson, Giller, Grove, Griscom, Gillingham, Green, Gratz, Houseman, Hoffman, Horn, Hoppel, Hilles, Lloyd, Mereer, Moran, Martien, Matthews, Manuel, Norton, Newell, Parham, Painter, Preston, Read, Randall, Rhoads, Stuart, Shuster, Smith, Stallman, Wagner, Diehl, *President*.

46 voted for Miller N. Everly.

In all 53 votes. Elected.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Hague, Hutchinson, Jones, N. L. Keyser, P. A. Keyser, Kline, Marselis, Miller, Pratt, Sandgran, Selby, H. L. Smith, W. S. Smith, Stokes.

18 voted for F. Emhardt.

Common Council,

Messrs. Abbey, Address, Berry, Bishop, Balch, Bumm, Boyle, Binder, Cowell, Conrad, Crispin, Dunk, Davenport, Dennis, Dubree, Eastwick, Gibson, Giller, Grove, Gillingham, Gay, Green, Gratz, Houseman, Hoffman, Harper, Horn, Hubbard, Hoppel, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Pomeroy, Parham, Painter, Preston, Read, Randall, Rhoads, Roberts, Shuster, Smith, Stallman, Watt, Wagner, Diehl, *President*.

54 voted for F. Emhardt.

In all 72 votes. Elected.

Select Council,

Messrs. Hague, Jones, Kline, Miller, Sandgran, Selby.

6 voted for James H. Hurtt.

Common Council,

Messrs. Address, Austin, Berry, Bishop, Bumm, Binder, Cowell, Conrad, Dunk, Davenport, Dennis, Dubree, Gibson, Giller, Grove, Gillingham, Green, Gratz, Houseman, Hoffman, Horn, Hubbard, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Parham, Painter, Preston, Rhoads, Roberts, Scheetz, Shuster, Smith, Stallman, Diehl, *President*.

44 voted for James H. Hurtt.

In all 50 votes. Elected.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Hutchinson, Jones, N. L. Keyser, P. A. Keyser, Kline, Marselis, Miller, Pratt, Sandgran, Selby, H. L. Smith, W. S. Smith, Stokes, Thomas.

18 voted for John H. Parker.

Common Council,

Messrs. Abbey, Address, Berry, Bishop, Balch, Bumm, Boyle, Binder, Butcher, Boswell, Cowell, Conrad, Dunk, Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Giller, Grove, Griscom, Gillingham, Green, Gratz, House-

man, Hoffman, Harper, Horn, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Pomeroy, Parham, Painter, Preston, Reed, Rhoads, Stuart, Shuster, Smith, Stallman, Taylor, Wagner, Diehl, *President*.

54 voted for John H. Parker.

In all 72 votes. Elected.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Hutchinson, Jones, P. A. Keyser, Knorr, Marselis, Pratt, Selby, H. L. Smith, W. S. Smith, Stokes, Thomas.

14 voted for Charles McCowan.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Balch, Bumm, Boyle, Binder, Butcher, Boswell, Cowell, Dunk, Davenport, Dennis, Dougherty, Eastwick, Gibson, Giller, Grove, Griscom, Gillingham, Gay, Green, Gratz, Houseman, Hoffman, Harper, Horn, Hubbard, Hoppel, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, Pomeroy, Parham, Painter, Preston, Read, Randall, Rhoads, Shuster, Smith, Stallman, Taylor, Wagner, Diehl, *President*.

53 voted for Charles McCowan.

In all 67 votes. Elected.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Hague, Hinman, Hutchinson, Jones, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Pratt, Sandgran, H. L. Smith, W. S. Smith, Stokes, Thomas, Waterman.

20 voted for George Meyers.

Common Council,

Messrs. Abbey, Austin, Balch, Boyle, Butcher, Boswell, Conrad, Crispin, Dougherty, Eastwick, Gray, Griscom, Gay, Harper, Hubbard, Hilles, Hassinger, Lloyd, Larzalere, O'Neill, Pomeroy, Preston, Read, Randall, Stuart, Scheetz, Shuster, Taylor, Watt, Wagner.

30 voted for George Meyers.

In all 50 votes. Elected.

Select Council,

Messrs. Hague, Jones, Knorr, Miller, Sandgran, Selby.
6 voted for Lewis Burk.

Common Council,

Messrs. Address, Austin, Berry, Bishop, Bumm, Binder, Cowell, Dunk, Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Giller, Grove, Gray, Gillingham, Green, Gratz, Houseman, Hoffinan, Harper, Horn, Hubbard, Hoppel, Mercer, Moran, Martien, Norton, Newell, O'Neill, Parham, Painter, Preston, Randall, Schectz, Smith, Stallman, Wagner, Diehl, *President*.

41 voted for Lewis Burk.

In all 47 votes.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hague, Hutchinson, N. L. Keyser, P. A. Keyser, Kline, Knorr, Marselis, Miller, Pratt, W. S. Smith, H. L. Smith, Stokes, Thomas, Waterman.

17 voted for John W. Everman.

Common Council,

Messrs. Abbey, Balch, Boyle, Butcher, Boswell, Corlies, Dougherty, Gray, Griscom, Hilles, Lloyd, Newell, Pomeroy, Stuart, Schectz, Shuster, Watt.

17 voted for John W. Everman.

In all 34 votes.

Select Council,

Messrs. Bullock, Caldwell, Duffee, Hutchinson, N. L. Keyser, P. A. Keyser, Knorr, Miller, Pratt, Selby, H. L. Smith, W. S. Smith, Stokes, Thomas.

17 voted for Benjamin Franklin.

Common Council,

Messrs. Butcher, Boswell, Gray, Gay, Hassinger, Pomeroy, Taylor, Watt.

8 voted for Benjamin Franklin.

In all 25 votes.

Common Council,

Messrs. Austin, Corlies, Crispin, Dubree, Gay, Has-
singer, O'Neill, Roberts, Scheetz, Taylor.

10 voted for Joseph M. Ritterson.

Common Council,

Messrs. Corlies, Crispin, Griscom, Gay, Hilles.

5 voted for Joseph H. Comly.

Select Council,

Messrs. Miller, Waterman.

2 voted for Rufus Bicknell.

Common Council,

Messrs. Boswell, Eastwick, Harper, Read.

4 voted for Rufus Bicknell.

In all 6 votes.

Common Council,

Mr. Watt voted for Charles J. Davis.

Common Council,

Mr. Austin voted for Jacob B. Garlanger.

Common Council,

Messrs. Dubree, Roberts.

2 voted for Jacob J. Gumpper.

Common Council,

Messrs. O'Neill, Taylor.

2 voted for William Einwechter.

Common Council,

Messrs. Austin, Corlies, Scheetz.

3 voted for John Benner.

Common Council,

Messrs. Matthews, Rhoads.

2 voted for Daniel B. Smith.

Select Council,

Mr. N. L. Keyser voted for John Bosler.

Common Council,

Messrs. Conrad, Corlies, Scheetz.

3 voted for John Bosler.

In all 4 votes.

Common Council,

Messrs. Balch, Crispin, Manuel, Roberts.

4 voted for Edward S. Fitch.

Select Council,

Mr. Waterman voted for Lane Schofield.

Common Council,

Messrs. Corlies, Watt.

2 voted for Lane Schofield.

In all 3 votes.

Common Council,

Mr. Anson Gray voted for Joseph Govett.

Common Council

Mr. Corlies voted for George Day.

Common Council,

Mr. Stuart voted for James Conway.

Common Council,

Mr. Roberts voted for Amos A. Gregg.

Mr. Painter

Moved that the ballot be laid aside.

Which was not agreed to.

Mr. Randall

Moved that we now proceed to ballot for Police Magistrate for the Seventeenth Ward.

Which was agreed to.

*First Ballot for Police Magistrate of Seventeenth Ward.
Seventy-one votes cast.*

Select Council,

Messrs. Jones, N. L. Keyser, P. A. Keyser, Pratt, Selby, H. L. Smith, W. S. Smith, Stokes.

8 voted for Isaac B. Dare.

Common Council,

Messrs. Address, Bishop, Bumm, Butcher, Boswell, Cowell, Davenport, Dennis, Gibson, Green, Gratz, Horn, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Newell, Rhoads.

22 voted for Isaac B. Dare.

In all 30 votes.

Select Council,

Messrs. Bullock, Knorr.

2 voted for James Bell.

Common Council,

Messrs. Berry, Dunk, Eastwick, Giller, Gray, Griscom, Graeff, Houseman, Harper, Moran, Norton, Pomeroy, Parham, Preston, Randall, Stuart, Shuster, Smith, Stallman, Watt, Wagner, Diehl, *President*.

22 voted for James Bell.

In all 24 votes.

Select Council,

Messrs. Hague, Kline.

2 voted for Hugh Clark.

Common Council,

Messrs. Austin, Balch, Binder, Corlies, Crispin, Dougherty, Dubree, Gay, Hassinger, O'Neill, Powell, Read, Roberts, Scheetz, Taylor.

15 voted for Hugh Clark.

In all 17 votes.

There being no election,

Mr. Crispin

Moved that we now proceed to a second ballot.

Which was agreed to.

Messrs. Balch and Hutchinson stated that they would vote under protest as to the legality of the vote cast for any person not a resident of the ward, and asked to have it so recorded in the Journal.

Which was granted.

Second Ballot. Eighty-one votes cast.

Select Council,

Messrs. N. L. Keyser, P. A. Keyser, Miller, Pratt, Selby, H. L. Smith, W. S. Smith, Stokes, Waterman.

9 voted for Isaac B. Dare.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Bumm, Butcher, Boswell, Cowell, Dunk, Davenport, Dennis, Eastwick, Gibson, Green, Gratz, Houseman, Harper, Horn, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Newell, Painter, Rhoads, Smith, Stallman.

31 voted for Isaac B. Dare.

In all 40 votes.

Select Council,

Messrs. Bullock, Caldwell, Duffee, Jones, Knorr, Thomas.

6 voted for James Bell.

Common Council,

Messrs. Giller, Grove, Griscom, Gillingham, Graeff, Moran, Norton, Pomeroy, Parham, Preston, Stuart, Shuster, Watt, Wagner.

14 voted for James Bell.

In all 20 votes.

Select Council,

Messrs. Hague, Hutchinson, Kline, Marselis.

4 voted for Hugh Clark.

Common Council,

Messrs. Austin, Balch, Boyle, Binder, Corlies, Crispin, Dougherty, Dubree, Gay, Hassinger, O'Neill, Read, Randall, Roberts, Scheetz, Taylor, Diehl, *President*.

17 voted for Hugh Clark.

In all 21 votes.

After all the members names had been called to vote, and the President had voted,

Mr. Gillingham

Asked permission to change his vote.

Which was granted.

Mr. O'Neill

Then presented the following protest, and desired to have the same entered on the minutes.

Which was agreed to.

The undersigned respectfully protest against the decision of the Chair, whereby Mr. Gillingham was allowed to change his vote ; because,

1. The same was changed after the vote of the President was given.

2. The said member was called and then voted—after all the votes were cast, and it was ascertained that one vote changed the result of the election, thereby setting a precedent for the barter of votes.

3. The same is illegal and unparliamentary.

C. B. F. O'Neill,
E. Taylor,
D. Corlies,
T. J. Roberts,
Thos. Balch.

Mr. Moran

Moved that the gentleman from the Twenty-fourth Ward (Mr. Eastwick), also, have permission to record his vote.

Which after considerable discussion was granted.

And after the second ballot, their being no election,

Mr. Smith, of the Common Council,

Moved that this Convention do now rise.

Which was not agreed to.

Mr. Crispin

Moved that we now proceed to a third ballot.

Which was agreed to.

Mr. Painter

Moved that we do now adjourn.

Which was not agreed to.

Third Ballot. Seventy-one votes cast.

Select Council,

Messrs. Jones, N. L. Keyser, P. A. Keyser, Pratt, Selby, H. L. Smith, W. S. Smith, Stokes.

8 voted for Isaac B. Dare.

Common Council,

Messrs. Andress, Bishop, Bumm, Butcher, Boswell, Cowell, Davenport, Dennis, Gibson, Green, Gratz, Horn, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Newell, Rhoads.

22 voted for Isaac B. Dare.

In all 30 votes.

Select Council,

Messrs. Bullock, Knorr.

2 voted for James Bell.

Common Council,

Messrs. Berry, Dunk, Eastwick, Giller, Gray, Griscom, Graeff, Houseman, Harper, Moran, Norton, Pomeroy, Parham, Preston, Randall, Stuart, Shuster, Smith, Stallman, Watt, Wagner, Diehl, *President*.

22 voted for James Bell.

In all 24 votes.

Select Council,

Messrs. Hague, Kline.

2 voted for Hugh Clark.

Common Council,

Messrs. Austin, Balch, Binder, Corlies, Crispin, Dougherty, Dubree, Gay, Hassinger, O'Neill, Powell, Read, Roberts, Scheetz, Taylor.

15 voted for Hugh Clark.

In all 17 votes.

After the third ballot, there being no election,

Mr. Crispin

Moved to adjourn.

Which was not agreed to.

Mr. Martien

Moved that we do now proceed to a fourth ballot.

Which was agreed to.

Fourth Ballot. Sixty-eight votes cast.

Select Council,

Messrs. N. L. Keyser, P. A. Keyser, Selby, H. L. Smith, W. S. Smith.

5 voted for Isaac B. Dare.

Common Council,

Messrs. Andress, Berry, Bumm, Butcher, Boswell, Dunk, Davenport, Dennis, Gibson, Green, Gratz, Horn,

Hoppel, Hilles, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Newell, Painter, Rhoads.

23 voted for Isaac B. Dare.

In all 28 votes.

Select Council,

Messrs. Bullock, Cornman, Knorr.

3 voted for James Bell.

Common Council,

Messrs. Abbey, Binder, Cowell, Eastwick, Giller, Gray, Graeff, Houseman, Harper, Moran, Norton, Parham, Preston, Randall, Stuart, Shuster, Smith, Watt, Wagner, Diehl, *President*.

20 voted for James Bell.

In all 23 votes.

Select Council,

Messrs. Hague, Kline.

2 voted for Hugh Clark.

Common Council,

Messrs. Austin, Balch, Corlies, Crispin, Dougherty, Dubree, Gay, Hassinger, O'Neill, Powell, Pomeroy, Read, Roberts, Scheetz, Taylor.

15 voted for Hugh Clark.

In all 17 votes.

Fifth Ballot. Sixty-four votes cast.

Select Council,

Messrs. P. A. Keyser, Selby, H. L. Smith, W. S. Smith.

4 voted for Isaac B. Dare.

Common Council,

Messrs. Andress, Bumm, Butcher, Dunk, Davenport, Gibson, Green, Gratz, Houseman, Horn, Hoppel, Hilles, Lloyd, Larzalere, Mercer, Matthews, Manuel, Newell, Painter, Rhoads.

20 votes for Isaac B. Dare.

In all 24 votes.

Select Council,

Messrs. Bullock, Cornman, Hinman, Jones, N. L. Keyser, Knorr.

6 voted for James Bell.

Common Council,

Messrs. Abbey, Binder, Boswell, Cowell, Giller, Gray, Graeff, Harper, Moran, Martien, Norton, Pomeroy, Parham, Preston, Randall, Stuart, Shuster, Smith, Watt, Wagner, Diehl, *President*.

21 voted for James Bell.

In all 27 votes.

Select Council,

Messrs. Hague, Kline.

2 voted for Hugh Clark.

Common Council,

Messrs. Balch, Corlies, Crispin, Dennis, Dougherty, Eastwick, Gay, Hubbard, Hassinger, O'Neill, Powell, Read, Roberts, Scheetz, Taylor.

15 voted for Hugh Clark.

In all 17 votes.

Sixth Ballot. Sixty-eight votes cast.

Select Council,

Messrs. Jones, N. L. Keyser, P. A. Keyser, Pratt, Selby, H. L. Smith, W. S. Smith.

7 voted for Isaac B. Dare.

Common Council,

Messrs. Andress, Bumm, Butcher, Boswell, Conrad, Dunk, Davenport, Dennis, Gibson, Green, Gratz, Horn, Hoppel, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Newell, Painter, Roberts.

22 voted for Isaac B. Dare.

In all 29 votes.

Select Council,

Mr. Knorr voted for James Bell.

Common Council,

Messrs. Abbey, Berry, Bishop, Binder, Cowell, Eastwick, Giller, Gray, Graeff, Harper, Moran, Gorton, Powell, Parham, Preston, Randall, Stuart, Shuster, Watt, Wagner, Diehl, *President*.

21 voted for James Bell.

In all 22 votes.

Select Council

Messrs. Bullock, Hague, Kline.

3 voted for Hugh Clark.

Common Council,

Messrs. Austin, Balch, Corlies, Crispin, Dougherty, Gay, Hubbard, Hassinger, O'Neill, Pomeroy, Read, Roberts, Scheetz, Taylor.

14 voted for Hugh Clark.

In all 17 votes.

Seventh Ballot. Seventy votes cast.

Select Council,

Messrs. N. L. Keyser, P. A. Keyser, Selby, H. L. Smith, W. S. Smith.

6 voted for Isaac B. Dare.

Common Council,

Messrs. Andress, Berry, Bumm, Butcher, Boswell, Cowell, Davenport, Dennis, Gibson, Green, Gratz, Horn, Hoppel, Lloyd, Mercer, Martien, Manuel, Newell, Painter, Rhoads.

20 voted for Isaac B. Dare.

In all 26 votes.

Select Council,

Messrs. Bullock, Cornman, Jones, Knorr.

4 voted for James Bell.

Common Council,

Messrs. Abbey, Austin, Bishop, Conrad, Eastwick, Giller, Gray, Graeff, Harper, Larzalere, Moran, Norton, Powell, Pomeroy, Parham, Preston, Randall, Stuart, Shuster, Watt, Wagner, Diehl, *President*.

22 voted for James Bell.

In all 26 votes.

Select Council,

Messrs. Hague, Hutchinson, Kline.

3 voted for Hugh Clark.

Common Council,

Messrs. Balch, Boyle, Corlies, Crispin, Dougherty, Gay, Hubbard, Hassinger, O'Neill, Read, Roberts, Scheetz, Taylor.

13 voted for Hugh Clark.

In all 16 votes.

Eighth Ballot. Sixty-five votes cast.

Select Council,

Messrs. P. A. Keyser, Selby, H. L. Smith, W. S. Smith.

4 voted for Isaac B. Dare.

Common Council,

Messrs. Andress, Bumm, Butcher, Boswell, Conrad, Dunk, Davenport, Dennis, Gibson, Green, Gratz, Horn, Hoppel, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, Painter, Randall, Rhoads.

22 voted for Isaac B. Dare.

In all 26 votes.

Select Council,

Messrs. Bullock, Hinman, Jones, Knorr.

4 voted for James Bell.

Common Council,

Messrs. Abbey, Berry, Balch, Binder, Cowell, Dougherty, Eastwick, Giller, Gray, Graeff, Houseman,

Harper, Moran, Norton, Powell, Pomeroy, Parham, Preston, Stuart, Scheetz, Shuster, Watt, Wagner.

23 voted for James Bell.

In all 27 votes.

Select Council,

Messrs. Hague and Kline.

2 voted for Hugh Clark.

Common Council,

Messrs. Austin, Boyle, Corlies, Crispin, Gay, Hassinger, O'Neill, Read, Roberts, Taylor.

10 voted for Hugh Clark.

In all 12 votes.

Ninth Ballot. Sixty-six votes cast.

Select Council,

Messrs. Bullock, Hinman, Jones, Knorr.

4 voted for James Bell.

Common Council,

Messrs. Abbey, Berry, Bishop, Balch, Cowell, Davenport, Eastwick, Giller, Gray, Houseman, Harper, Mercer, Moran, Martien, Norton, Powell, Pomeroy, Parham, Preston, Stuart, Shuster, Watt, Diehl, *President*.

24 voted for James Bell.

In all 28 votes.

Select Council,

Messrs. Hague, Hutchinson, Kline.

3 voted for Hugh Clark.

Common Council,

Messrs. Austin, Boyle, Corlies, Crispin, Dougherty, Gay, Hassinger, O'Neill, Read, Roberts, Taylor.

11 voted for Hugh Clark.

In all 14 votes.

Select Council,

Messrs. H. L. Smith, W. S. Smith.

2 voted for Isaac B. Dare.

Common Council,

Messrs. Address, Bumm, Conrad, Gibson, Green, Gratz, Lloyd, Painter, Rhoads.

9 voted for Isaac B. Dare.

In all 11 votes.

Select Council,

Messrs. N. L. Keyser, P. A. Keyser, Selby.

3 voted for W. H. Hubbard.

Common Council,

Messrs. Butcher, Boswell, Dennis, Hubbard, Hoppel, Randall, Wagner.

7 voted for W. H. Hubbard.

In all 10 votes.

Mr. Graeff voted for O. Ramsdale.

Mr. Matthews voted for Thomas Walton.

Mr. Manuel voted for George C. Geyer.

Mr. Jones

Moved that this Convention do now adjourn.

On this question the yeas and nays were demanded by Messrs. Crispin and Gray.

And being ordered, were as follows :

Select Council,

YEAS—Messrs. Hague, Hutchinson, Jones, N. L. Keyser, P. A. Keyser, Kline, H. L. Smith.

NAYS—Messrs. Bullock, Cornman, Hinman, Selby, W. S. Smith.

Common Council,

YEAS—Messrs. Abbey, Balch, Bumm, Butcher, Conrad, Corlies, Crispin, Davenport, Dougherty, Gibson, Gay, Green,

Graeff, Hoppel, Hassinger, Lloyd, Larzalere, Moran, O'Neill, Painter, Roberts, Taylor.

NAYS—Messrs. Address, Berry, Bishop, Boyle, Binder, Boswell, Cowell, Dunk, Dennis, Eastwick, Giller, Gray, Gratz, Houseman, Harper, Horn, Mereer, Martien, Matthews, Manuel, Norton, Powell, Pomeroy, Parham, Read, Randall, Rhoads, Stuart, Shuster, Watt, Wagner, Diehl, *President*.

Yeas 30; nays 37.

Which was not agreed to.

Mr. O'Neill

Moved that the further consideration of the subject be postponed until Thursday the 12th inst.

Mr. Selby

Moved to amend by adding "that we now proceed to another ballot," there being 66 votes cast.

Which was agreed to, and

Mr. James Bell was elected.

Tenth Ballot. Sixty-six votes cast.

Select Council,

Messrs. Bullock, Hinman, Jones, N. L. Keyser, Knorr, W. S. Smith.

6 voted for James Bell.

Common Council,

Messrs. Abbey, Berry, Bishop, Balch, Binder, Conrad, Davenport, Eastwick, Giller, Gray, Graeff, Houseman, Harper, Horn, Hilles, Mercer, Moran, Martien, Norton, Powell, Pomeroy, Parham, Preston, Stuart, Shuster, Watt, Wagner, Diehl, *President*.

28 voted for James Bell.

In all 34 votes. Elected.

Select Council,

Messrs. Hague, Hutchinson, Kline.

3 voted for Hugh Clark.

Common Council,

Messrs. Austin, Boyle, Corlies, Crispin, Dougherty, Gay, Hassinger, O'Neill, Read, Roberts, Taylor.

11 voted for Hugh Clark.

In all 14 votes.

Select Council,

Messrs. Selby, H. L. Smith.

2 voted for Isaac B. Dare.

Common Council,

Messrs. Address, Bumm, Butcher, Boswell, Cowell, Dennis, Green, Gratz, Hubbard, Lloyd, Manuel, Painter, Rhoads.

13 voted for Isaac B. Dare.

In all 15 votes.

Select Council,

Mr. Peter A. Keyser voted for W. H. Hubbard.

Common Council,

Mr. Randall voted for W. H. Hubbard.

In all 2 votes.

Mr. Gibson voted for George H. Armstrong.

Mr. Hutchinson

Moved that this Convention do now adjourn.

Which was agreed to, and

After the members of the Select Council had retired,

Mr. Giller presented the following:

The undersigned, members of the Committee on Finance, beg leave to submit the accompanying bill, entitled "An Ordinance to make an appropriation for the payment of certain claims against the Corporation," and ask its adoption.

JOHN U. GILLER,

Chairman.

Committee Room, October 5th, 1854.

The first section was agreed to.

The second section was agreed to.

The title was agreed to,

And the bill was ordered to be prepared for the third reading.

The bill, by special order, being read the third time, and agreed to.

Select Council concurred.

The President

Laid before Council a Message from the Mayor.

To the Select and Common Councils of the City of Philadelphia.

GENTLEMEN:—By the seventh section of the Act of Consolidation, it is made the duty of the Mayor “to communicate to Councils, at least once a year, and oftener if deemed expedient, a general statement of the condition of the City in relation to its government, finances and improvement; to recommend the adoption of all such measures as he may deem expedient for the security, health, cleanliness, improvement and welfare of the City,” &c.

Under the obligation thus imposed, I consider it my duty respectfully to solicit your attention to the fiftieth section of the same fundamental law, by which it is enacted that, “It shall be the duty of the City Councils to provide, by Ordinance, for the establishment and regulation of all the departments indicated by this Act, and other laws in force in said City, under the proper heads, and with the necessary clerks, officers, and assistants, viz: For Law, Police, Finance, Surveys, Highways, Health, Water, Gas, Fire, the Poor, the City Property, and the Public Grounds, and such others as may from time to time be needful.

Appreciating the obstacles that interpose to retard the transition from one government to another, I have foreborne to invoke your attention to the evils consequent upon the unsettled and confused condition of the City affairs until those evils have become, from their protracted continuance, the subject of general anxiety and apprehension.

More than three months have elapsed since the passage of the first Ordinance by the present government ; and of the departments which Councils are required, by the section above quoted, to establish and regulate, there have been created, of those enumerated, the following, viz : Law, Police, Surveys, Highways, Water, and City Property ; and of those unenumerated, the Department of the Controller, of the City Treasurer, of the Receiver of Taxes, other than the Girard Trust, and of Port Wardens.

Of those established by Ordinance, the Department of Highways, City Property and Water remain unorganized.

The Ordinance " Establishing the Department of Highways, Bridges, Sewers, and Cleansing of the City," was approved on the 29th day of August.

The Ordinance to " Establish and organize the Department of City Property" was approved on the same day.

The obligation to organize these Departments, and the pressing importance of the duty, have not been wholly unrecognized ; for, on the 29th day of August, the day of the approval of the Ordinances in relation to Highways and City Property, the Common Council passed the following resolution :

Resolved, That the Select Council be informed that this Council will be prepared to meet them in Convention, on Thursday next, for the purpose of nominating and electing the following : Commissioner of City Property, Chief Commissioner of Highways, Six Commissioners of Highways, &c. (Journal, page 383.)

A similar resolution was passed by the same Council, on the 31st of August. (Journal, page 399.) Again, on the 7th September. (Journal, page 416.) Again, on the 14th September, (Journal, page 435,) and again on the 21st September. (Journal, page 473.)

The Select Council declining to meet the Common Council in Convention, the departments above named remain still unorganized. In the interregnum between the lapse of one and the adoption of another government, no public duty within the range of the departments thus unsettled, is properly performed, and no authority duly recog-

nized. The community suffers from a suspension of government; and the public treasury may be, and I fear, has been subjected to serious impositions for want of the checks provided by the suspended ordinances. The Controller, in his communication of September the 14th, to which I respectfully recall your attention, states that "the most responsible departments are yet without any head, and, consequently, bills to very large amounts are produced by individuals, and payment demanded, when there is no evidence that the same claim has not been paid under the former administrations." After giving some illustrations of the consequences of this unsettled condition of the government, that officer proceeds as follows: "Without further detail, permit me to request that these several departments may be organized, for this state of things is not confined to the Department of Highways alone, but the others are in the same unhappy condition. It would be a dereliction of duty on my part, did I omit to examine into the cause of this *frightful increase of expenditure.*"

The departments called for by the Act of Consolidation and by the necessities of the government, but still unestablished by Councils, and the interests thus left without the protection of municipal legislation, are among the most important known to our community.

In relation to these momentous interests, it cannot be denied that the present incomplete and partially unorganized condition of the city government is attended with many and serious inconveniences. The affairs of the city suffer from the various and clashing municipal authorities; and, in the confusion and doubt inevitably induced, the public interests are in some degree necessarily neglected or sacrificed. If the co-existence of various matured and carefully administered municipalities was, previously to the establishment of the present city government, considered an evil demanding consolidation, the continued existence of the conflicting fragments of those municipalities, unregulated and confused as they now are, must be still more embarrassing; and it is apparent, that if the advantages of consolidation are to be practically demonstrated, it must be by an early performance of the duties of the present government, and an energetic recollection of its benefits.

An illustration of the embarrassments incident to the unfortunate delay in the establishment and organization of the necessary departments of the government, is afforded by the difficulties which have arisen in relation to lighting the streets of a large portion of the city. It seems to be generally admitted, that the charge of providing for the nightly illumination of the streets shall be given to the Gas Department. No provision, however, has yet been made by Councils for this important service. The modes of lighting the different sections of the city have been as various as the different governments; gas, camphene and oil having been, and still being used, even in the same district. The public lights have been subject to various regulations, and in charge of different classes of public agents—in some sections under the direction of persons, engaged by the districts for that purpose, at a monthly stipend, in others the duty being performed by watchmen.

As this important public duty seems to have been reserved by Councils for a different department, the police ordinance makes no provision for the regulation of the system by which the city is to be lighted. It was the necessary effect of the appointment of the new police to displace the police officers employed by the various municipalities, and, with them, the lamp-lighters—for the maintainance of two sets of police officers was clearly inconsistent with the law. The organization of the police was a duty imperative, important, and one that could not be delayed. The members of the old police, anticipating their discharge, became indifferent and disregardful of duty; the peace and security of the community demanded the immediate adoption of energetic measures for their protection; and earnest applications from the inhabitants of all sections of the city were received, insisting upon the establishment of a regular police force, under the provisions of the Act of Consolidation and the Police Ordinance. The police was therefore organized. As the Act of Consolidation employs, in relation to the appointing power, *the very words* of the National and State Constitutions, and as the practice has been universal and consistent to induct officers of government, who hold their stations subject to the confirmation of the Senate, it was supposed that an usage, so well sustained, and so long sanctioned by

the Senates of the various States, and by the Senate of the United States, and enjoining a duty so necessary and indisputable, would not be considered, by the Select Council of Philadelphia, inconsistent with its dignity. As a matter of necessity, therefore, of law, and of right, and to avoid a delay that would have been seriously detrimental to the public service, a minor portion of the police force was so sworn in and placed upon duty. The police force was thus fully organized, and the city effectually and satisfactorily protected.

But in thus complying with an obvious and imperative duty, at least one half of the city would have been, by the failure of Councils to act upon the Gas Bill, or to make any provisions for the lighting of the city, left unlighted. The consequences, in regard to the comfort of our citizens, would have been serious and discreditable, and would have induced just complaint; and in the facilities that would have been given, in the darkened streets, to rioters, assassins, robbers, burglars and incendiaries, the results must have been destructive and lamentable.

Under these circumstances—an important duty, intimately connected with the security of society, having been pretermitted by Councils—there was no authority that could be appealed to, to supply the neglect and avert its consequences, but that of the Mayor. That appeal was made. To provide for the omission, involved a duty and responsibility certainly not desirable; but, as Chief Magistrate of the city, I would have been culpable had I hesitated to assume them. It is not alleged that there was authority conferred by Councils to provide for the continued lighting of the streets; but a conscientious public servant could have found no excuse for permitting such a lapse in the legislation of the city to be visited in discomfort and calamity upon the community. I therefore directed the Lieutenants of the different districts to renew and continue the arrangements then in being, requiring that, in all cases where change could be avoided, the existing order of things should be preserved. Where it was necessary to employ men to attend the lamps, and where the neglect of that duty would have left a district in darkness, I directed them to employ such men—carefully avoiding to designate or appoint them—as could be relied upon to perform the duty faithfully and at the lowest rates, subject to discharge

the moment that Councils should adopt and provide for this important but discarded duty. Had I declined to make these arrangements, the major part of the city would be left each night without a single lighted lamp in the streets, and our citizens subjected to all the inconveniences and perils which would attend a metropolis left in darkness, to the depredations of burglars, assassins and rioters.

In view of these facts, and anxious to be relieved from a duty most reluctantly assumed, I earnestly recommend to Councils that they make provision, by the establishment of a gas department, or otherwise, as in their wisdom they may deem expedient, for the performance of this duty by agents of the corporation duly authorized and required, under proper obligations, to discharge it with fidelity.

In the example thus given, the duty which government owes to the people has been, however imperfectly, assumed and discharged, and the community has been protected; but, in regard to many others, equally important, I regret to be compelled to say that the duty is either pretermitted or performed in a manner that seems to lack the sanction of the Act of Consolidation, if the provisions of that act be not distinctly violated. I have been surprised, within the present week, to learn, that there exists, in districts composed of one and in some instances of several wards, committees which are entitled "Local Committees"—which have assumed and exercised powers that I, with great respect, suggest, are not only extraordinary and unknown to this government, but in violation of the letter and spirit of the Act of Consolidation.

Upon these committees, as I am informed, devolve many of the powers and duties which that Act gives to the various departments, which, in those departments, would be carefully guarded and surrounded by the most assured checks, but which, in these committees, are wholly destitute of witnesses, records, checks, or responsibilities of any kind whatsoever. The fiftieth section of the Consolidation Act, which provides for accountable departments, contains the following positive inhibition:—"No member or members of Council, whether as a committee or otherwise, shall make any disbursement of corporate monies; nor audit the accounts thereof; nor perform any other executive duty

whatever." Notwithstanding this positive injunction, the "*Local Committees*" referred to have, as I am informed, assumed and exercised the power to make contracts; to audit, pass and certify accounts to the Controller; and, in short, to exercise daily, constantly, and in relation to nearly all the concerns of the government, the most distinct and undeniable executive faculties. The authority for this extraordinary assumption of both legislative and executive power—which, if it be legal and proper, renders the establishment of departments almost superogatory, and in fact supplies their place—is alleged to be derived from a joint resolution passed on the fifteenth day of June. That resolution, though legislative in its character, and now extended to a degree that engrosses nearly every legislative and executive power of the government, was never presented to the executive for his approval, was never approved, and does not appear in the ordinances and resolutions printed by order of Councils. And yet, I learn from the Controller that under the action of these committees, bills have been, if not incurred, at least audited, certified and paid to an amount exceeding one million and a half of dollars. With every care on the part of the Controller, there is reason to apprehend that abuses may have attended a practice so irregular and so inconsistent with the spirit and the letter of the Act of Consolidation; and the existence of such a practice affords a strong argument in favor of a early organization of the departments, as required by law.

R. T. CONRAD,
Mayor.

Which was being read, when

Mr. Martien

Moved that the further reading of it be postponed, and printed for the use of the members.

Which was agreed to.

Mr. Eastwick presented the following report:

The Committee of Conference appointed on the bill to establish and organize the Department of City Surveyors and Regulators, respectfully report that they have agreed

to recommend that the amendments made by Select Council shall be so modified that the Fifth District shall consist of the Eleventh, Twelfth, Sixteenth and Seventeenth Wards, and the Sixth District of the Eighteenth and Nineteenth Wards.

A. M. EASTWICK,
GEORGE NORTON,
JAMES M. GIBSON.

Which was accepted.

Mr. Giller offered the following resolution:

Resolved, That John M. Coleman, Esq., Receiver of Taxes, be instructed to have printed, in the form of hand-bills, so much of the Eleventh Section of the Act of Consolidation as refers to the payment of Taxes, and to have the same posted in the various public places of the City, in order that citizens may be more generally informed on the subject.

Mr. Abbey

Moved to amend by adding the following: "And that said Receiver be also requested to keep his office open until 3 o'clock, for the reception of taxes.

Which was accepted, and

The resolution as amended was agreed to.

Mr. Giller

Presented a bill of James Martin for the sum of \$1,100, for the damages his property will sustain by the opening of Richmond Street, (in the late District of Richmond.)

Also,

A bill of like import of Tylee Allen, for the sum of \$220.

And moved the reading of them be dispensed with, and referred to the Committee on Finance.

Which was agreed to.

Mr. Balch offered the following resolution:

Resolved, That the resolution on pages 428 and 429 of Common Council Journal be referred to a special committee of three from each branch, with power to act.

Which was twice read and adopted.

And Messrs. Balch, Eastwick and Magarge appointed on behalf of Common Council.

Mr. Moran

Moved that Council do now proceed to the consideration of the report and resolution of the Committee on Railroads from Select Council.

Which was agreed to.

And on its being read,

Mr. Boswell

Moved that the further consideration of the same be postponed.

On this question the yeas and nays were demanded by Messrs. Balch and Martien.

And being ordered were as follows :

YEAS—Messrs. Abbey, Berry, Balch, Binder, Boswell, Cowell, Corlies, Crispin, Dunk, Davenport, Dougherty, Gibson, Gay, Green, Graeff, Horn, Hubbard, Hassinger, Lloyd, Mercer, Martien, Matthews, Norton, Powell, Randall, Roberts, Shuster, Diehl, *President*.

NAYS—Messrs. Andress, Bishop, Bumm, Eastwick, Moran, Parham, Read, Stuart, Wagner.

Yeas 28 ; nays 9.

Which was agreed to.

Mr. Martien

Moved that we do now adjourn.

Which was agreed to.

Adjourned.

THURSDAY, October 12th, 1854.

Council met—Present,

Messrs. Abbey,
Andress,
Austin,
Berry,
Bishop,
Balch,
Binder,
Butcher,
Boswell,
Copeland,
Cowell,
Conrad,
Crispin,
Dunk,
Davenport,
Dennis,
Dougherty,
Dubree,
Eastwick,
Gibson,
Giller,
Grove,
Gray,
Gillingham,
Gay,
Green,
Gratz,
Graeff,

Messrs. Hoffman,
Hacker,
Hubbard,
Hoppel,
Hilles,
Hassinger,
Lloyd,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Magarge,
Norton,
Newell,
O'Neill,
Powell,
Pomeroy,
Parham,
Preston,
Read,
Randall,
Rhoads,
Roberts,
Stuart,
Shuster,
Stallman,
Diehl, *President.*

Mr. O'Neill

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Gibson

Presented a communication from Charles Devenny, asking for the introduction of water pipes into Campbell Street, east of Sixth Street, in the Third Ward.

Which was referred to the Committee on Water Works.

Mr. Manuel

Presented a communication from James Montague and James McFillon, asking permission to put in a railroad siding, to intersect at the corner of Pennsylvania Avenue and Twenty-first Street, for the purpose of opening a coal yard.

Which was referred to the Committee on Highways, &c.

Mr. Martien

Presented a communication from Amos Styles, of the Tenth Ward, soliciting the appointment of Surveyor and Regulator.

Which was referred to the Committee on Surveys, &c.

Mr. Eastwick

Presented a communication from Thomas Daly, soliciting to be appointed Surveyor and Regulator.

Which was also referred to the Committee on Surveys, &c.

Mr. Parham

Presented a communication from owners of property on Thirteenth Street, between Jefferson and Oxford Streets, asking that gas-pipes may be laid along said Street.

Which was referred to the Committee on Gas.

Mr. Norton

Presented a communication from Miller N. Everly, Commissioner of Highways, offering the names of William Watson and Wm. H. Everly as his sureties.

Which was referred to the Committee on Highways, in conjunction with the City Solicitor.

Also,

A communication from S. W. Mifflin, of the Twenty-second Ward, soliciting the appointment of Surveyor, accompanied by testimonials from H. Haupt, Chief Engineer of the Pennsylvania Railroad; John C. Trautwine, Civil Engineer, and a number of citizens of the Twenty-second Ward.

Which were severally referred to the Committee on Surveys, &c.

Also,

A communication from Garrick Mallery, Esq., attorney for Joseph Naglee, administrator, *de bonis non cum testamento annexo*, of the estate of Henry Naglee deceased, asking to be paid \$400 for damages his property sustained in the opening of Tenth Street, from Camac Street to Germantown Road.

Which was referred to the Committee on Finance.

Also,

A claim of Wm. M. Kennedy, for the payment of a judgment for damages, assessed at \$4,027.78.

Which was also referred to the Committee on Finance.

Mr. Giller

Presented a communication from John Diehl, Commissioner of City Property, offering the names of Wm. Morris and Wilmor Whildin as his sureties.

Which was referred to the Committee on Finance, in conjunction with the City Solicitor.

Mr. Hacker

Presented a claim of William Early, for the sum of \$1,250.

Which was referred to the Committee on Finance.

Mr. Green

Presented a communication from Joseph Swartz, soliciting the appointment of Superintendent of Wharves and Landings.

Which was referred to the Committee on Port Wardens, &c.

Mr. O'Neill

Presented a communication from Conrad Stapf, relative to the curb stones in front of his property, at the corner of Apple Street and Franklin Avenue, in the Seventeenth Ward.

Which was referred to the Committee on Highways, &c.

Also,

A communication from a number of citizens, recommending William C. Rohrman, of the Eighteenth Ward, for Steward of Girard College, or Superintendent of one of the Public Squares.

Which was laid on the table.

Mr. Gibson

Presented a communication from A. Clark Deeklyne, M.D., soliciting the appointment of Vaccine Physician.

Which was also laid on the table.

Mr. Gratz

Presented a communication from owners of property on Girard Avenue, between Sixth to Tenth Streets, asking that the same may be paved, and water-pipe laid from Sixth to Eighth Street.

Also,

A communication from owners of the soil on Oxford Street, between Broad and Eighteenth Streets, releasing damages for the opening of the same, and asking that the said Street may be graded.

Which was referred to the Committee on Highways, &c.

Mr. Stallman

Presented a communication from F. Emhardt, Commissioner of Highways, offering the names of Charles F. Ashmead and Hillery Krickbaum as his sureties.

Which was referred to the Committee on Highways, &c., in conjunction with the City Solicitor.

Mr. Conrad

Presented a communication from property owners, on Myrtle Street, below Twelfth, asking that gas pipes may be laid in said Street.

Which was referred to the Committee on Gas.

The President

Laid before Council the following :

HEALTH OFFICE,)
Philadelphia, Aug. 5th, 1854. }

SIR:—At a meeting of the Board of Health, held this day, the following resolutions were adopted :

Resolved, That the open and filthy condition of Thompson Street, West of Eleventh and beyond Twelfth Street, is hereby declared to be a nuisance, prejudicial to the public health.

Resolved, That City Councils be notified to abate said nuisance on Thompson Street, forthwith, and if not done by Councils, then to be done by the Health Office.

Extract from the minutes.

SAMUEL P. MARKS,
Clerk.

Which was laid on the table.

Mr. Shuster

Presented a communication from a number of citizens of the Thirteenth Ward, recommending Stephen Pancost for Commissioner of Markets.

Which was referred to the Committee on Markets.

The President

Laid before Council a claim of John L. Williams, for excess of taxes paid in Bristol township, April 28th, 1854, for the sum of \$30.62.

Which was referred to the Committee on Finance.

Also,

A communication from Thomas Birch, Chief Commissioner of Highways, offering the names of William Struthers and William H. Kern, as his sureties.

Also,

One of like import from Charles McCowan, Commissioner of Highways, with the names of Henry Sailor and Thomas Hartley.

Also,

One of like import from George Myers, Commissioner of Highways, with the names of David Woelpper and Lewis Bitting.

Also,

One of like import from John H. Parker, Commissioner of Highways, with the names of John Kessler, Jr. and Brock Watson.

Also,

One of like import from James H. Hurt, Commissioner of Highways, with the names of John M. Gibbs and William Faunce, Sr.

Which were severally referred to the Committee on Highways, &c., in conjunction with the City Solicitor.

The President

Laid before Council the following:

Philadelphia, Oct. 12th, 1854.

To the President and Members of the Common Council:

GENTLEMEN:—You are respectfully invited to visit and

inspect the two Departments of the House of Refuge, on Wednesday next, the 18th inst., at 11 o'clock.

By order of the Board of Managers,

THOMAS EARP,
Vice President.

Mr. Abbey

Moved that the invitation be accepted.

Which was agreed to.

Mr. Hubbard

Asked to have the Journal of the last meeting, on page 568, corrected, wherein he is made to have voted for George Meyers for Commissioner of Highways.

Which was granted.

Mr. Martien

Presented the following:

To the President and Members of Common Council:

The undersigned, who were appointed the Committee to receive and entertain the Boston Delegation, on their proposed visit to this City, would respectfully request that Wm. Moran, Esq., who accompanied them as one of the Committee of Visitation to Boston, be added to the Committee of Reception.

Wm. S. Smith,
Henry C. Pratt,
J. W. Martien,
Thos. Balch,
Edw. Gratz,
John P. Verree,
A. W. Eastwick,
John H. Diehl.

Philadelphia, Oct. 12th, 1854.

The report was accepted and Mr. Moran added to the Committee.

Mr. Giller presented the following :

To the Select and Common Councils :

The Committee on Finance have had under consideration and adopted the accompanying ordinance, entitled "A Supplement to an Ordinance approved August 7th, 1854, entitled an Ordinance to provide for the issue of certificates of debt of the City of Philadelphia," and ask its adoption.

JOHN U. GILLER,

Committee Room, Oct. 12th, 1854.

Chairman.

The first and only section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill, by special order, was read the third time and agreed to.

Select Council concurred.

Also, the following :

To the Select and Common Councils :

The Committee on Finance have had under consideration and adopted the accompanying bill, entitled "An Ordinance to make an appropriation for the use of the Trustees of the Ice Boat," and ask its adoption.

JOHN U. GILLER,

Committee Room, Oct. 12th, 1854.

Chairman.

The first and only section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill, by special order, was read the third time and agreed to.

Select Council concurred.

Mr. Giller

From the Committee on Finance, presented a report (see *Appendix No. 61*), relative to an ordinance for the establishment of a sinking fund for the redemption of the

debt of the City of Philadelphia, which had been re-committed to the committee for alterations and amendments, accompanied by an ordinance.

Mr. Moran

Moved that the further reading of the report and accompanying ordinance be postponed, and printed for the use of the members.

Which was agreed to.

Mr. Giller

Moved that the same be made the special order of the day for Thursday the 26th inst.

Also presented the following :

To the Select and Common Councils :

The Committee on Finance, to whom was committed an ordinance making an appropriation for the expenses of the Department of the Receiver of Taxes, have had the same under consideration, and having given it their attention, submit the ordinance with the list of names of the clerks in his employ, and when confirmed by Select Council, believe the same to be correct, and ask its adoption.

JOHN U. GILLER,

Committee Room, Oct. 12th, 1854.

Chairman.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill, by special order, was read the third time, and agreed to.

Select Council concurred.

Mr. Dennis offered the following preamble and resolution :

Whereas, The Board of Trustees of the West Philadelphia Gas Works having requested the City Councils to take their works off their hands: Therefore,

Resolved, That they be and are hereby authorized and directed to hand over to John C. Cresson, Esq., Chief Engineer of the Gas Works, all their effects, and the said John C. Cresson is hereby authorized to receive and take charge of the same forthwith.

Mr. Eastwick

Moved that the preamble and resolution be postponed.

On this question the yeas and nays were demanded by Messrs. Dennis and Eastwick.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Address, Austin, Berry, Bishop, Balch, Binder, Conrad, Dunk, Davenport, Eastwick, Gibson, Giller, Grove, Gay, Gratz, Hoffman, Hacker, Hubbard, Hoppel, Hassinger, Mercer, Moran, Martien, Matthews, Magarge, Norton, Newell, O'Neill, Powell, Pomeroy, Preston, Read, Rhoads, Roberts, Shuster, Stallman, Diehl, *President*.

NAYS—Messrs. Butcher, Boswell, Copeland, Cowell, Dennis, Dubree, Green, Hilles, Manuel.

Yeas 38 ; nays 9.

Which was agreed to.

Mr. Crispin

Moved to suspend the order of business for the purpose of offering a resolution.

And on the motion being agreed to, offered the following :

Resolved, That the Committee on Finance be directed to draw up an Ordinance, making an appropriation for refunding the amount of overpaid taxes in the Twenty-third Ward, said taxes being paid to the Receiver of Taxes before the supplement to an Ordinance, approved July 18th, 1854, entitled " An Ordinance to levy and fix the rate of taxes for the year 1854," was approved by the Mayor.

Which was twice read and adopted.

Mr. Copeland,

From the Committee on Highways, &c., to whom was referred the petitions for the removal of the City Railroad from Market, Third, and Dock Streets.

Also,

The application for authority to lay a passenger line of railway from the Exchange to Fairmount and the Girard College, presented a report, (see *Appendix No. 62*,) accompanied by an Ordinance, and moved that the further reading of the same be postponed and printed for the use of members.

Which was agreed to.

Also, presented the following:

To the Select and Common Council of the City of Philadelphia:

The undersigned, Committee on Highways, &c., beg leave to offer the accompanying Ordinance, and ask its adoption.

SAMUEL COPELAND,
Chairman.

Committee Room, October 12th, 1854.

“An Ordinance to establish the width of the foot and cartways in Delancey Street.”

The first and only section was agreed to.

The title was agreed to,

And the bill was ordered to be prepared for the third reading.

The bill, by special order, was read the third time and agreed to.

Select Council concurred.

Mr. Martien

Moved that the regular order of business be suspended for the purpose of presenting a petition.

Which was not agreed to.

Mr. Hoppel presented the following :

PHILADELPHIA, *October 12th*, 1854.

The Committee of Conference to whom was referred the differences between the two Chambers, in relation to organizing the Department of Wharves and Landings, beg leave to report that, after careful deliberation, they agree upon the following :

Section four, line two, after the word "vacant," insert "By advertising for proposals in four daily papers, three times a week, for one month ; said proposals shall be opened by the Superintendent in the presence of the Committee, at least sixty days previous to the expiration of the time for which the said wharf or landing were leased, and in all cases the highest and best bid shall be received.

A. F. HOPPEL

C. B. ADDRESS.

Committee.

Which report was accepted.

Mr. Balch,

Chairman of the Select Committee to visit New York and Boston, for the purpose of examining into the operation of the Fire Alarm Telegraph, presented a report (*see Appendix No. 63*) accompanied by a resolution.

Mr. O'Neill

Moved that the further reading of the same be dispensed with, and printed for the use of members.

Which was agreed to.

Mr. Butcher,

Chairman of the Joint Special Committee to whom was referred the communication of Messrs. Birkenbine & Trotter, contractors of the Twenty-fourth Ward Water Works, presented a report (*see Appendix No. 64*) accompanied by the contract and other papers.

Mr. Boswell

Moved that the further reading of the same be dispensed with, and printed for the use of members.

Which was agreed to.

Mr. Mercer

Moved that the regular order of business be suspended for the purpose of going into the consideration of the report of the Special Committee to whom was referred the resolution to make inquiry by what authority the Southwark Railroad Company run locomotives on Washington Street, through the Second Ward.

And on the motion being agreed to,

Moved that the report be accepted and the Committee discharged.

Which was also agreed to.

The President

Laid before Council the following report :

The Committee of Visitation to Girard College, for the month of September, beg leave respectfully to report :

That in the performance of the duty assigned to them they have twice during the month visited the Institution. The Committee during their visits made a careful inspection of the building, and the numerous departments of the College, and they found the government in every respect as your Committee would desire. The instruction of the children seems to command the close attention of the President and his assistants, both male and female.

As to the health of the children, we regret to report, that after a long period of exemption from disease, two deaths have occurred, the first of pulmonary consumption, after a sickness of eighteen months; every care and attention had been given to him, in fact his life was much prolonged by faithful nursing, on the part of the females of the College, and your Committee cannot permit this oppor-

tunity to pass without according to those, whose vocation it was to be by his bedside, many thanks for their assiduity. He had been in the College eight years. He was buried within the College walls, with every possible respect—the Committee were present at the time of burial.

The second death was after a short sickness of inflammation of the veins, every care was given to the patient, as in the former case, but without avail. With these exceptions, the health of the boys has been excellent—this too, at a season when pestilence and death were committing sad havoc among our citizens, more especially among children. We, therefore, think much credit is due to the Matron and the other Ladies of the College, whose duty it is to see to the health of the children.

The experiment of binding out has been, thus far, quite gratifying. Seventy-three boys are now indentured, almost all of whom, we are informed, are doing well. Fifty-two pupils are about to be admitted, and a new class of twenty-two about to be indentured. We consider the College to be accomplishing satisfactorily the purposes of its founder.

Your Committee return their thanks to President Allen, Secretary Arey, and the other officers and teachers for their kindness and attention, while discharging their duty at the College.

All of which is respectfully submitted.

Samuel J. Randall, *Chairman*.
 A. G. Waterman,
 Richard M. Berry,
 Robert Newell,
 Wm. B. R. Selby,
 Charles Thomson Jones,
 J. L. Hutchinson,
 W. O. Kline,
 Geo. A. Binder.

Philadelphia. Oct. 3d, 1854.

Which was read and laid on the table.

Mr. Gibson offered the following resolution:

Resolved, That the Committee on Police be instructed to introduce an ordinance providing for the appointment and

monthly salary of Lamplighters in the First, Second, Third and Fourth Wards.

Mr. O'Neill

Moved to amend, by striking out First, Second, Third and Fourth Wards, and inserting "all the wards in the City."

Which was accepted.

Mr. Crispin

Moved further to amend, by adding, "and that the committee be instructed to inquire into the expediency of reducing the number of policemen."

On this question the yeas and nays were demanded by Messrs. Crispin and O'Neill.

And being ordered, were as follows :

YEAS—Messrs. Crispin, Dougherty, Dubree, Gay, Has-singer, Manuel, O'Neill, Powell, Pomeroy.

NAYS—Messrs. Abbey, Address, Austin, Berry, Balch, Binder, Butcher, Boswell, Cowell, Conrad, Dunk, Davenport, Dennis, Gibson, Giller, Gillingham, Green, Graeff, Hoffman, Hacker, Hubbard, Hoppel, Lloyd, Mercer, Moran, Martien, Matthews, Magarge, Newell, Parham, Rhoads, Stallman, Diehl, *President*.

Yeas 9 ; nays 33.

Which was not agreed to.

Mr. Giller

Moved further to amend, by striking out all after the word "Resolved," and insert the following: "That the Committee on Police be instructed to take into consideration the propriety of reporting a bill for the appointment of Lamplighters of the City."

Which was agreed to.

And the resolution as amended was adopted.

Mr. Baleh

Presented a communication from Philip M. Price, Secretary of the Sunbury and Erie Railroad Company relative to the vacancies in the Board of Managers of said Company, accompanied by the following resolution :

Resolved, That Select Council be informed that Common Council will meet them on Thursday next in convention, for the purpose of designating two persons to fill the vacancies referred to in Mr. Price's communication of October 9th, 1854.

Which resolution was withdrawn for the present.

Mr. O'Neill offered the following resolution :

Resolved, That the Committee on City Property be requested to report an ordinance dedicating the Lemon Hill Estate for public use as a Park, in accordance with the resolution of September, 28th.

Mr. Norton

Moved to amend by striking out all after the word "Resolved" to the word "report," in the third line, and insert in lieu thereof the following: "That the Committee on City Property be instructed to inquire into the expediency of reporting."

Which was agreed to.

And the resolution as amended was adopted.

Mr. Randall

Moved that the regular order of business be suspended for the purpose of going into the consideration of the bill from Select Council, making an appropriation for the erection of an Ice House in the Girard College grounds.

Which was agreed to.

Select Council

Informs this Council that they have had under consideration an Ordinance entitled "An Ordinance to make an appropriation for the expense of erecting an Ice House in the Girard College grounds, and making certain improvements

in the College buildings," and have passed the same and ask concurrence.

The first section was agreed to.

The second section was agreed to.

The third section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and agreed to.

So Common Council concurred.

Mr. Stallman offered the following resolution :

Resolved, That the property owners on Germantown Road, between Mount Airy and Chestnut Hill, be directed to curb and pave their footway within sixty days.

Which was twice read and adopted.

Mr. Martien offered the following resolution :

Resolved, as the sense of the Common Council, That the public interest demands that the fiftieth section of the Consolidation Act, requiring the establishment and regulation of all the departments indicated by that Act and other laws in force in this City, should be, without further delay, complied with, and that it is proper that the departments not already established, and such others as may be necessary for the complete organization of the government, and the discharge of the present temporary Local Committees, should be forthwith provided for.

Which was read twice and adopted.

Mr. Mercer offered the following preamble and resolution :

Whereas, The President and Directors of the Camden and Amboy Railroad Company have caused to be erected at their landing, south of Walnut Street, on South Delaware Avenue, a shed or building, not in accordance with the Ordinance passed June, 1832, and not agreeably to the supplement passed January 18, 1854. Therefore,

Resolved, That the City Solicitor, in conjunction with the Committee on Wharves and Landings, be and they are hereby directed to require the Directors of said Company to remove the shed or building, and re-construct in conformity to and agreeably with said Ordinances.

The resolution was read twice and adopted, and the preamble was accepted.

Mr. Giller offered the following resolution:

Resolved, That the hour of stated meetings of Councils be hereafter 6 o'clock, P. M.

Mr. Butcher

Moved to amend by striking out all after the word "Resolved," and insert the following:

"That all stated meetings of Councils shall be hereafter called at seven o'clock P. M. and regularly adjourn at ten."

Mr. Martien

Moved further to amend by striking out "seven" and insert "four."

Mr. Randall

Moved that the whole subject be indefinitely postponed.

Which was agreed to.

Mr. Abbey offered the following resolution:

Resolved, That the Select and Common Councils meet on Wednesday next, the 18th inst., at ten o'clock, A. M., at the City Hall, Corner of Fifth and Chestnut Streets, to proceed to the House of Refuge, in accordance with an invitation from Thomas Earp, Esq., Vice President, received this day.

Which was twice read and adopted.

Mr. Moran

Moved that Council do now proceed to the consideration of the resolution offered by Mr. Randall, on the 28th ultimo, relative to the route of the Sunbury and Erie Railroad Company.

Which was not agreed to.

Mr. Gillingham offered the following resolution :

Resolved, That the Select Council inform this Chamber what action, if any, has been taken upon the " Ordinance to organize the department of the Gas Works," passed by this Chamber on the 29th day of August last. If no action has been, or is intended to be had upon the said ordinance, that Select Council be requested to return the same to this Chamber.

Which was not agreed to.

The President

Laid before Council the following message from the Mayor :

MAYOR OFFICE, }
Philadelphia, Oct. 12th, 1854. }

To the Common Council of the City of Philadelphia :

GENTLEMEN :—I have approved and signed the following ordinance, viz :

An ordinance, entitled " An Ordinance to make an appropriation for the payment of certain claims therein mentioned."

R. T. CONRAD,
Mayor.

Which was laid on the table.

Mr. Randall offered the following resolution :

Resolved, That the Committee on City Property be directed, through the proper agent, to procure a suitable room for the accommodation of the Supreme Court of Pennsylvania.

Which was twice read and adopted.

Mr. Eastwick

Moved a call of the House, and on its being ordered there was a quorum of members present.

Select Council

Informs this Council that they have passed the following resolution, and ask concurrence:

Resolved, That the joint resolution of Councils, passed on the 15th of June, 1854, appointing ten Local Committees, be and the same is hereby repealed.

Mr. Martien

Moved that the further consideration of the same be postponed.

Mr. Dennis

Moved that Council do now adjourn.

Which was agreed to.

Adjourned.

THURSDAY, October 19th, 1854.

Council met—Present,

Messrs. Abbey,
 Andress,
 Berry,
 Bishop,
 Balch,
 Bumm,
 Binder,
 Butcher,
 Boswell,
 Copeland,
 Cowell,
 Conrad,
 Corlies,
 Dunk,
 Davenport,
 Dougherty,
 Dubree,
 Eastwick,
 Gibson,
 Giller,
 Gray,
 Griscom,
 Gillingham,
 Green,
 Gratz,
 Graeff,
 Houseman,
 Hoffman,
 Horn,

Messrs. Hacker,
 Hubbard,
 Hoppel,
 Hassinger,
 Lloyd,
 Larzalere,
 Mercer,
 Moran,
 Martien,
 Matthews,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Parham,
 Painter,
 Read,
 Randall,
 Rhoads,
 Stuart,
 Scheetz,
 Shuster,
 Smith,
 Stallman,
 Taylor,
 Verree,
 Watt,
 Wagner,
 Diehl, *President.*

Mr. Gillingham

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Balch

Asked to have the Journal corrected on page 610, wherein he is made to have withdrawn the communication of Philip M. Price, Secretary of the Sunbury and Erie Railroad Company, when in fact it was only the motion to adopt the accompanying resolution.

Which was granted.

Mr. Gratz

Moved that the regular order of business be suspended, for the purpose of offering a resolution, and on the motion being agreed to offered the following:

Resolved, That the Police Committee, in conjunction with the Committee on City Property be, and they are hereby authorized to appropriate for Police Stations, in the different Wards, such public property as they may agree on as best adapted to the above purposes, and that the Police Committee recommend to the head of the Department such repairs and alterations in the Station Houses as they may deem best for the security and accommodation thereof. And furthermore, that where the public property cannot be economically and advantageously used for Police Stations, the Mayor be authorized to rent such other property or properties in the different wards, as in his judgment will best serve the purposes of the Department.

Which was read, and

Mr. Boswell

Moved to amend, by adding the words, "and that the Police Committee be instructed to report to Councils such public property as may be appropriate for the purposes herein named."

Which was not agreed to.

The resolution was again read and adopted.

Mr. Gibson

Presented a petition from owners of property on Seventh Street, between Reed and Franklin, asking that

the water pipe may be laid, and the street graded and paved.

Which was read and referred to the Committee on Highways, &c.

Mr. Balch

Moved that the regular order of business be suspended for the purpose of calling up the resolution offered on the 12th inst., relative to meeting Select Council in convention, for the purpose of designating two persons to fill the vacancies in the Board of Managers of the Sunbury and Erie Railroad Company.

Which was not agreed to.

Mr. Wagner

Presented a petition from owners of property on Twenty-third Street, between Coates and Brown, asking that the same may be paved as soon as practicable.

Which was read and referred to the Committee on Highways, &c.

Also,

A petition of like import from property owners on Twenty-third Street, between Brown and Parrish.

Which was read and referred to the same Committee.

Also,

A petition from property owners on Columbia Avenue, between Broad and Thirteenth Streets, asking that water pipes may be laid on said street.

One of like import from property holders on Twenty-third Street, between Pratt and Parrish.

Which were severally read and referred to the Committee on Water Works.

Mr. Horn

Presented a petition from owners and occupiers of lots of ground fronting on Queen or Linden Streets, recently

opened for public use (in the Sixteenth Ward), asking that the same may be made available for travel, and that provision be made for the payment of such damages as have been awarded, and the said street opened in conformity with the provisions of the law.

Which was read and referred to the Committee on Highways, &c.

Mr. Painter

Presented a petition of Wm. H. Miles, Contractor of York Street Bridge (in the Nineteenth Ward), asking for an appropriation to the amount of estimate given by the District Surveyor, which is \$3,230, less 25 per cent.

Which was read and referred, to the Committee on Highways, &c., with instructions to report an ordinance providing for the same.

Mr. Randall

Presented a communication from John McCrea, relative to the grading and curbing of the two fifty feet wide streets, situate between Pine and Spruce and Twentieth and Twenty-first Streets, dedicated by him to the citizens of Philadelphia, in February last.

Which was read and referred to the Committee on Market Houses.

The President

Laid before Council a Communication from Abraham Myers, of the Fifteenth Ward, soliciting the appointment of Chief Engineer of the Gas Works.

Which was read and referred to the Committee on Gas.

Also,

A communication from John N. Henderson, Controller, relative to bills for paving on Cumberland Street, between Tulip and Salmon Street, amounting to \$10,858.97.

Also,

A communication from N. F. Campion, notifying Councils that the bill of John Beatty, for curbing on Alleghany

Avenue (Richmond District), will be contested for the amount of eight hundred feet of said curbing done for said Beatty by special contract, lying between the Trenton Railroad and the Frankford Road.

Also,

A communication from James F. Johnson, Esq., Attorney for R. W. Eyre, asking to be paid the sum of \$14 60, the balance of a judgment against the late District of Kensington.

Which were severally read and referred to their appropriate committees.

The President

Laid before Council a communication from Samuel P. Marks, Clerk of the Board of Health, relative to the removal of the City Hospital for pestilential and contagious diseases, from its present location to one more remote from the thickly populated portion of the City.

Which was read and referred to the Committee on Health.

Also,

A communication from John Rice, calling the attention of Councils to the contract entered into with him by the late Corporation of the Mayor, Aldermen, and Citizens of Philadelphia, for the erection of new Market Houses, together with a copy of said contract, the obligations of which he is ready to perform.

Which was read and referred to the Committee on Market Houses.

Also,

A communication from the Managers of the Philadelphia House of Correction and Employment, asking for an appropriation of the sum of \$500, for contingent expenses of said institution.

Which was read and referred to the Committee on Finance.

Mr. Moran

Presented a communication from a number of citizens, recommending James M. Williams for Inspector of Gas Works.

Which was read and referred to the Committee on Gas.

Mr. Painter

Presented a communication from John C. Carver, of the Thirteenth Ward, soliciting the appointment of Chief Engineer and Surveyor of the City, accompanied by recommendations from a number of citizens for the above office.

Which were read and referred to the Committee on Surveys, &c.

Mr. Griscom

Presented a communication from Samuel Barry, soliciting the appointment of Messenger in one of the Departments.

Which was read and laid on the table.

Mr. Gillingham

Presented a petition from property owners between Fifth and Sixth Streets and Thompson and Master Streets (in the Seventeenth Ward), asking to have the water removed from their property as soon as possible, in order that they may improve the same.

Which was read and referred to the Committee on Highways, &c.

Mr. Hacker

From the Committee on Finance, to whom was referred the communication of Mr. John Diehl, Commissioner of City Property, presented as securities for the faithful performance of his duty, the names of Wilman Whildin and Wm. Morris, respectfully report, that they received a communication from Mr. Diehl, withdrawing the name of Mr. Morris,

and substituting that of Charles S. Boker, and that they approve of the securities offered, and offer the annexed resolution.

Respectfully,

WM. P. HACKER,

Chairman.

Committee Room, Oct. 19th, 1854.

Resolved, That Councils approve of Wilman Whildin and Charles S. Boker as securities for John Diehl, Commissioner of City Property, and that it be referred to the Solicitor for proper arrangement.

The report was accepted and the resolution adopted.

Also the following :

CITY COMMISSIONERS' OFFICE, }
Phila. October 19th, 1854. }

To the Finance Committee of City Councils :

GENTLEMEN :—We enclose you an estimate from Major C. M. Eakin, the Engineer and Superintendent of the grading of Girard Avenue, west of the Schuylkill River, and respectfully request an appropriation for the amount of said estimate.

WM. FAUNCE, Sr.,

WM. S. ALLEN,

City Commissioners.

PHILADELPHIA, *October 19, 1854.*

To the City Commissioners of Philadelphia :

GENTLEMEN :—I have to call upon Councils for an appropriation to meet the following expenses, now due for work, &c., upon Girard Avenue :

| | | |
|---|-----|---------|
| For grading 20,000 cubic yards at 27½c. | - | \$5,500 |
| “ Middle culvert, “ “ | - - | 1,275 |
| “ Eastern culvert, “ “ | - | 450 |
| “ Abutments for Bridge over the railroad, | - | 1,000 |
| “ Fencing along Girard Avenue, - - - | | 250 |
| “ Engineering and superintendence, - - | | 300 |
| | | 8,775 |

C. M. EAKIN,

Engineer and Superintendent.

Which was referred to the Committee on Finance.

Mr. Hacker offered the following resolution:

Resolved, That His Honor the Mayor be requested to return to this Council the Ordinance to make an appropriation for the payment of certain claims against the Corporation.

Which was read twice and passed.

Mr. Copeland,

From the Committee on Highways, &c., presented the following:

To the Select and Common Council:

The Committee on Highways, Bridges, Sewers, and Cleansing the City, beg leave to submit the accompanying Ordinance and ask its adoption.

SAMUEL COPELAND,

Chairman.

Committee Room, October 19, 1854.

“ An Ordinance to make an appropriation to the Department of Highways, Bridges, Sewers and Cleansing the City,” for the purposes therein mentioned.

The first and only section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for a third reading.

It was then, by special order, read the third time and agreed to.

Select Council concurred.

Also, the following :

The Committee on Highways, Bridges, Sewers, and Cleansing, to whom was referred the sureties of the Chief Commissioner and the Out-door Commissioners, to inquire into the security offered, beg leave to report the following resolutions herewith annexed.

Sam. Copeland, *Chairman*,
Thos. Tyson Butcher,
Jno. A. Houseman,
Algernon S. Roberts,
P. A. Keyser,
Henry C. Pratt,
B. R. Miller,
O. P. Cornman.

To the Select and Common Councils :

The Committee on Highways, &c., report that, in conjunction with the City Solicitor, they have inquired into the sufficiency of the sureties offered to Councils for their approval, by the Chief Commissioner and the Commissioners of Highways, and find them to be satisfactory ; they therefore offer the following resolution :

Resolved, That the Select and Common Councils do approve of William Struthers and William H. Kern, as sureties for Thomas Birch, Chief Commissioner of Highways.

Of William Watson and William H. Everly, as sureties for Miller N. Everly, Commissioner of Highways.

Of Charles F. Ashmead and Hilery Krickbaum, as sureties of F. Emhardt, Commissioner of Highways.

Of Henry Sailor, (tobacconist,) and Thomas Hartley, as sureties of Charles McCowan, Commissioner of Highways.

Of David Woelpper and Lewis Bitting, as sureties of George Myers, Commissioner of Highways.

Of John Kessler, jr., and Brock Watson, as sureties of John H. Parker, Commissioner of Highways.

And of John M. Gibbs and William Faunce, Sr., as sureties for James H. Hurt, Commissioner of Highways.

Which report was accepted and the resolution adopted.

Mr. Abbey offered the following resolution :

Resolved, That Select Council be informed that this Council is now ready to meet them in Convention, for the purpose of electing the Head of the Water Department, Superintendent of the City Railroads, the Commissioner of Market Houses, and the Superintendent of Wharves and Landings.

Which was read twice and passed.

Mr. Hoppel

Moved to suspend the regular order of business, for the purpose of offering a bill.

And, on the motion being agreed to, offered in place an Ordinance entitled, " An Ordinance to pay money to Chas. Dixey for a claim against the late District of Richmond."

Which was read, when

Mr. Giller

Moved that the further consideration of the same be postponed, and referred to the Committee on Highways, &c.

Mr. Smith

Moved to amend by adding the words, " if found correct, report an Ordinance providing for the same."

Which was agreed to, and

The resolution as amended was agreed to.

Mr. Mercer offered the following resolution :

Resolved, That the Committee on City Property be requested to ascertain the probable expense for a composition or metallic roof for the State House Buildings, and report at their earliest convenience.

Which was read twice and passed.

Mr. Smith

Moved that this Council do now proceed to nominate candidates for the offices to be voted for in Convention this afternoon.

Which was agreed to.

Chief Engineer of the Water Works.

Mr. Abbey nominated Frederick Graeff.

Mr. Matthews nominated Frederick Erdman.

Superintendent of City Railroads.

Mr. Randall nominated John Neff.

Mr. Conrad nominated George Emerick.

Mr. Smith nominated Abraham Myers.

Commissioner of Market Houses.

Mr. Newell nominated William D. Newell.

Mr. Smith nominated Thomas C. Jones.

Mr. Larzalere nominated Stephen Pancoast.

Mr. Dubree nominated Jacob S. Haas.

Superintendent of Wharves and Landings.

Mr. Berry nominated James Horner.

Mr. Stuart nominated Robert Huddel.

Mr. Gray nominated John G. Pierie.

Mr. Mercer nominated Robert W. Hilton.

When, on motion, the nominations were closed.

Select Council

Informs this Council that they have passed a bill entitled, "An Ordinance fixing the salary of the Mayor's Clerk."

And, on the same being read,

Mr. Gratz

Moved to amend by striking out "\$1,200," and insert in lieu thereof "\$1,500."

On this question the yeas and nays were demanded by Messrs. Corlies and Butcher.

YEAS—Messrs. Abbey, Address, Berry, Bishop, Bumm, Butcher, Copeland, Cowell, Dunk, Davenport, Eastwick, Gibson, Giller, Gray, Griscom, Gillingham, Green, Gratz, Graeff, Houseman, Horn, Hacker, Lloyd, Mercer, Moran, Martien, Magarge, Norton, Newell, Parham, Painter, Read, Randall, Rhoads, Stuart, Smith, Wagner, Diel, *President*.

NAYS—Messrs. Balch, Boswell, Conrad, Corlies, Dougherty, Dubree, Hassinger, Larzalere, Matthews, O'Neill, Preston, Scheetz, Shuster, Stallman, Taylor, Verree.

Yeas 38; nays 16.

On motion,

Council proceeded to the second reading and consideration of the bill.

The first and only section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

It was then, by special order, read a third time and passed.

Select Council concurred.

The President, Clerks and Members of Select Council were then introduced, and being assembled in convention,

The President stated the object thereof.

Mr. Waterman

Moved that this Convention do now proceed to ballot for Chief Engineer of the Water Works.

Mr. Painter

Moved that the same be postponed for the present.

Which was subsequently withdrawn, and

On the motion of Mr. Waterman being agreed to, and the Clerk of Select Council had commenced calling the roll of members,

Mr. Andress desired to offer a resolution.

Which was decided by the President to be out of order.

The balloting was then continued.

When 76 votes were cast.

Vote for Chief Engineer of Water Works.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Hague, Hinman, Hutchinson, Jones, N. L. Keyser, P. A. Keyser, Kline, Knorr, Miller, Pratt, Roberts, Sandgran, Selby, H. L. Smith, W. S. Smith, Stokes, Thomas, Waterman, Verree.
President.

23 voted for Frederick Graeff.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Balch, Bumm, Binder, Butcher, Boswell, Copeland, Conrad, Corlies, Dougherty, Dubree, Eastwick, Gibson, Giller, Gray, Griscom, Gillingham, Green, Gratz, Graeff, Houseman, Horn, Hacker, Hoppel, Hassinger, Lloyd, Larzalere, Mercer, Martien, Magarge, Norton, Newell, O'Neill, Parham, Preston, Read, Randall, Stuart, Shuster, Smith, Stallman, Taylor, Verree, Watt, Wagner, Diehl, *President.*

49 voted for Frederick Graeff.

In all 72 votes. Elected.

Common Council,

Messrs. Matthews, Painter, Rhoads, Scheetz.

4 voted for Frederick Erdman.

Mr. Moran declined voting.

Mr. Martien

Moved that we now proceed to the election of Superintendent of City Railroads.

Which was agreed to.

When 76 votes were cast.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Hague, Hutchinson, N. L. Keyser, Kline, Miller.

8 voted for George Emerick.

Common Council,

Messrs. Balch, Conrad, Corlies, Dubree, Eastwick, Gillingham, Green, Gratz, Hassinger, Larzalere, Matthews, Magarge, O'Neill, Read, Rhoads, Scheetz, Taylor, Verree.

18 voted for George Emerick.

In all 26 votes.

Select Council,

Messrs. Duffee, Hinman, Jones, P. A. Keyser, Knorr, Pratt, Roberts, Sandgran, Selby, H. L. Smith, W. S. Smith, Stokes, Thomas, Waterman, Verree, *President*.

15 voted for John Neff.

Common Council,

Messrs. Abbey, Address, Berry, Bishop, Bumm, Binder, Butcher, Boswell, Copeland, Dunk, Gibson, Giller, Gray, Griscom, Gracff, Houseman, Hoffman, Horn, Hacker, Hoppel, Lloyd, Mercer, Martien, Norton, Painter, Preston, Randall, Stuart, Shuster, Smith, Stallman, Watt, Wagner, Diehl, *President*.

34 voted for John Neff.

In all 49 votes. Elected.

Common Council,

Mr. Parham voted for Abraham Meyers.

Mr. P. A. Keyser

Moved that we now proceed to vote for Commissioner of Market Houses.

Which was agreed to.

When 68 votes were cast.

Select Council,

Messrs. Caldwell, Duffee, Hinman, Jones, N. L. Keyser, P. A. Keyser, Pratt, Roberts, Selby, H. L. Smith, Stokes, Verree, *President*.

12 voted for Wm. D. Newell.

Common Council,

Messrs. Abbey, Andress, Berry, Bishop, Bumm, Binder, Butcher, Boswell, Copeland, Conrad, Dunk, Davenport, Dougherty, Dubree, Eastwick, Gibson, Giller, Gray, Griscom, Gillingham, Green, Gratz, Graeff, Houseman, Hoffman, Horn, Hacker, Hubbard, Hoppel, Hassinger, Lloyd, Larzere, Mercer, Moran, Martien, Matthews, Magarge, Norton, Newell, O'Neill, Parham, Painter, Preston, Read, Randall, Rhoads, Stuart, Scheetz, Shuster, Smith, Stallman, Taylor, Verree, Watt, Wagner, Diehl, *President*.

56 voted for William D. Newell.

Who was declared unanimously elected.

Mr. Waterman

Declined voting, on the ground that this Convention had no knowledge of the approval by the Mayor of the Ordinance establishing the Department of Market Houses.

Mr. Norton

Moved that the Convention do now proceed to ballot for Superintendent of Public Landings.

Mr. Roberts

Moved to amend by adding, that the Convention do now rise.

Which was agreed to.

And the Select Council retired to their chamber.

Mr. Gillingham offered the following resolution :

Resolved, That the Clerk be authorized to purchase three copies of *Purdon's Digest of the Laws of Pennsylvania*, to be laid upon the desk, for the use of the members of the Chamber.

Which was read twice and passed.

Mr. O'Neill offered the following resolution :

Resolved, That the Clerk be directed to have the Journal of the Common Council bound in two volumes this year ; the first to contain proceedings from June 12th to October 12th inclusive, for the use of members.

Which was read twice and passed.

Mr. Eastwick offered the following resolution :

Resolved, That Select Council be informed that Common Council will be in readiness to meet them in Convention on Thursday next, October 26th, to nominate and elect the Chief Engineer and Surveyor of the Department of City Surveys and Regulations.

Which was read twice and passed.

Mr. Hacker

Moved a re-consideration of the vote by which the bill, entitled " An Ordinance to make an appropriation for the payment of certain claims against the Corporation," was agreed to, which the Mayor has returned for the purpose of making amendments.

And on the motion being agreed to,

Moved to amend the same by striking out "&c." in seventh, line, Section 1, and insert the words, " and other expenses of the General Election. Also, in line eleventh, Section 1, strike out "&c." and insert the words, " and other expenses of the General Election."

Which amendments were agreed to.

And the bill as amended passed.

Select Council concurred.

Mr. Balch

Moved that Council do now proceed to the second reading and consideration of the Resolution postponed at the last meeting, (see page 614 of the Journal,) repealing the joint resolution of Councils of the 15th of June, creating the Local Committees.

Which was agreed to.

The resolution was again read and passed.

A message from Select Council

Informing this Council that they have received a report from the Committee on City Property, and had passed a bill annexed, entitled "An Ordinance to make an appropriation to the Department of City Property, for the purposes therein mentioned."

On motion,

Council proceeded to the second reading and consideration of the bill annexed to the report.

The first and only section was agreed to.

The title was agreed to.

And the bill was ordered to be prepared for the third reading.

It was then, by special order, read the third time and passed.

So Common Council concurred.

Also,

That they had received a report from the Committee on Water Works, and had passed a bill annexed, entitled "An Ordinance to make an appropriation to the Department for supplying the City with water."

Which was read.

Mr. Norton

Moved that the further consideration of the same be postponed and printed for the use of the members.

On this question the yeas and nays were demanded by Messrs. Butcher and Smith.

And being ordered were as follows :

YEAS—Messrs. Andress, Berry, Bishop, Binder, Boswell, Conrad, Dunk, Davenport, Gibson, Giller, Griscom, Gratz, Houseman, Hacker, Hassinger, Laws, Lloyd, Mercer, Magarge, Norton, Newell, Read, Randall, Shuster.

NAYS—Messrs. Abbey, Bumm, Butcher, Dubrec, Eastwick, Graeff, Hoffman, Hubbard, Moran, Preston, Stuart, Smith, Stallman, Verree, Wagner, Diehl, *President*.

Yeas 24 ; nays 17.

Which was agreed to.

Mr. Gibson offered the following resolution :

Resolved, That the Superintendents of Highways of the late District of Southwark be and they are hereby authorized to submit their accounts of the sale of street dirt, curb stone, and all other kinds of material, to the inspection of the Chief Commissioner of Highways, in order that he may properly audit the same.

Which was read twice and passed.

Select Council

Informs this Council that they have passed the following preamble and resolutions :

Joint Resolutions relative to the Solicitors of the various Corporations and Collectors of Outstanding Accounts.

Whereas, By an Ordinance of Councils, approved August 22d, 1854, entitled "An Ordinance establishing the Law Department," the duties of the Solicitors of the various districts, municipalities, corporations, and bodies, including the Board of Health, Guardians of the Poor, Prison Inspectors, and Controllers of the Public Schools, which were, by the Act of February 2d, 1854, consolidated into the Corporation of the City of Philadelphia, were imposed upon the City Solicitor, whereby the said Solicitors were superseded. Therefore,

Resolved, That the Solicitors of the above-named Corporations be, and they are hereby required to settle their accounts and pay over all balances in their hands to the City Treasurer, and to deliver all their official books and papers to the City Solicitor.

Resolved, That the Collectors of Outstanding Debts of any of the districts, townships, bodies, or corporations, which, by the Act of February 2d, 1854, were consolidated into the Corporation of the City of Philadelphia, be and they are hereby required to settle their accounts as such Collectors with the City Controller, and pay all balances in their hands to the City Treasurer.

The resolutions were adopted and the preamble accepted.

So Common Council concurred.

Mr. Norton offered the following resolution :

Resolved, That the Chief Engineer of the Watering Department be instructed to examine and report to Councils upon the condition and availability of the Water Works in the Twenty-fourth Ward.

Which was read twice and passed.

Select Council

Informs this Council that they have passed the following resolution :

Resolved, That the Committee on Gas Works be, and are hereby instructed to inquire and report to Councils the terms and conditions upon which the Southwark and Moyamensing Gas Company will sell to the City all the property belonging to said Company.

Which was read twice and passed.

So Common Council concurred.

Mr. Graeff

Presented a communication from owners of property on Green Lane, in the Twenty-first Ward, asking that the pave-

ment of the same may be continued from its present terminus to the Ridge Road.

Which was read and referred to the Committee on Highways, &c.

Select Council

Informs this Council that they have passed the following preamble and resolution, and ask concurrence :

Whereas, By the ninth and forty-second sections of the Act, entitled "An Act to Incorporate the City of Philadelphia," the powers conferred by law on the Police Board of the late County of Philadelphia, and vested in, and are to be exercised by the City Councils, and they are directed as said Police Board, to make, ordain and establish all needful laws and ordinances for the regulation of the Police Department.

Therefore,

Resolved, That the Committee on Police be, and they are hereby directed to report to Councils, as early as convenient, rules and regulations for the organization and government of the Police Force.

The resolution was adopted and the preamble accepted.

So Common Council concurred.

Also, the following resolution :

Resolved, That the Committee on Railroads be requested to furnish an early statement of the condition of the Hempfield Railroad, and report to this body in detail, the amount of money, bonds or materials for the road, which have been received in payment for subscriptions or instalments, or subscriptions made to the capital stock of the Hempfield Railroad Company, together with the amount of expenditures, and the purposes for which such expenditures have been made, with such other information as they may deem proper to communicate.

Which was read twice and passed.

So Common Council concurred.

Also, the following :

Resolved, That the Committee on arrangement of unfinished business be requested to report at the earliest possible period.

Which was also adopted.

So Common Council concurred.

Also, the following :

Resolved, That the Committees on Police and City Property be requested and directed to report to Councils, the situation, rental, &c., of the houses selected for Police Stations, in the several Wards.

Which was also adopted.

So Common Council concurred.

Also, the following :

Resolved, That the Controller be requested to communicate to Councils the amount of monies expended in the different Districts, under the direction of the Local Committees, appointed by Councils, together with the amount of monies paid out of the Treasury since the organization of Councils, and for what purposes paid ; and, also, whether any, and what contracts have been entered into by said Local Committees.

Which was adopted.

So Common Council concurred.

Mr. Hoppel offered the following :

Resolved, That all officers of the Corporation, of the Mayor, Aldermen and Citizens of Philadelphia, or of any of the Corporations, which by the Act of 22d of February, 1854, entitled " A further Supplement to an Act entitled an Act to Incorporate the City of Philadelphia," were consolidated into the Corporation of the City of Philadelphia, who had charge of the paving, cleansing or care of the public highways, whether known as Commissioners, Supervisors, Superintendents, or by any other name, being superseded by the organization of the Department of Highways,

Bridges, Sewers and cleansing the City be, and the same are hereby dismissed.

Which was read twice and not agreed to.

The President

Laid before Council the following message from the Mayor:

MAYOR'S OFFICE, }
Philadelphia, Oct. 19th, 1854. }

To the Common Council of the City of Philadelphia:

GENTLEMEN:—I have approved and signed the following Ordinances, viz:

“An Ordinance to make an appropriation for the expenses of the Department of the Receiver of Taxes.”

“An Ordinance to make an Appropriation to the Clerks of Councils, for the purposes therein mentioned.”

“A Supplement to an Ordinance, approved August 7, 1854, entitled ‘An Ordinance to provide for the issue of Certificates of Debt of the City of Philadelphia.’”

“An Ordinance to fix and establish the width of the foot and cartways in De Lancy Street.”

“An Ordinance to make an Appropriation for the use of the Trustees of the Ice Boat.”

“An Ordinance establishing the Department of Market Houses.”

R. T. CONRAD,
Mayor.

Which was laid on the table.

Select Council

Informs this Council that they have passed the accompanying Bill, entitled “An Ordinance to make an appropriation for lighting Delaware Avenue with Gas,” and ask concurrence.

Section first was agreed to.

Section second was agreed to,

And the bill ordered to be prepared for a third reading.

The bill, by special order, was read the third time and passed.

So Common Council concurred.

Also, the following :

A Supplement to an Ordinance, entitled "An Ordinance establishing the Seal of the City of Philadelphia," and asked concurrence.

The first and only section was agreed to.

The title was agreed to,

And the bill ordered to be prepared for a third reading.

The bill, by special order, was then read the third time and agreed to.

So Common Council concurred.

Also, the following :

A Bill, entitled "An Ordinance to make an appropriation to pay the cost of certain portraits."

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

The bill, by special order, was read the third time,

And, on the final passage, the yeas and nays were demanded by Messrs. Gibson and Gray.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Andress, Berry, Bishop, Balch, Binder, Butcher, Boswell, Conrad, Dunk, Davenport, Dubree, Gratz, Hacker, Hubbard, Lloyd, Moran, Martien, Magarge, Norton, Newell, O'Neill, Randall, Stuart, Shuster, Smith, Stallman, Watt, Wagner, Diehl, *President*.

NAYS—Messrs. Gibson, Gray.

Yeas 29 ; nays 2.

Which was agreed to.

So Common Council concurred.

Select Council

Informs this Council that they have had under consideration the resolution directing the Committee on Finance to draw up an ordinance making an appropriation for refunding the amount of overpaid taxes in the Twenty-third Ward, and have concurred in the same with an amendment, to wit: add after the word "the" in the fifth line, the words "21st, 22d, and."

Common Council concurred in the amendment.

The President

Laid before Council a report (*Appendix No. 65*), from the Committee on City Property, relative to improving the two Public Squares presented to the late District of Kensington by the Norris Estate.

Which was read and laid on the table.

Also,

Laid before Council a report (*Appendix No. 66*), from the same Committee, to whom was referred a communication from George W. Brown, relative to the sale of the property at the southwest corner of Ninth and Locust Streets, accompanied by the opinion of Isaac Hazlehurst, Esq., the City Solicitor.

Which was read.

Mr. Balch

Moved that the further consideration of the same be postponed, and printed for the use of members.

On this question the yeas and nays were demanded by Messrs. Randall and Berry.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Andress, Balch, Binder, Bos-

well, Conrad, Dunk, Dubree, Giller, Gratz, Hacker, Hubbard, Hassinger, Laws, Lloyd, Mercer, Martien, Norton, Newell, O'Neill, Read, Stuart, Shuster, Wagner, Diehl, *President*.

NAYS—Messrs. Berry, Davenport, Gray, Moran, Margarge, Randall, Smith, Watt.

Yeas 25; nays 8.

Select Council

Informs this Council that they have passed a Bill, entitled "An Ordinance relating to the Clerks and Messengers of Councils."

Which was read.

And there being less than a quorum of members present,

On motion, Council adjourned.

THURSDAY, October 26th, 1854.

Council met—Present,

Messrs. Abbey,
 Address,
 Austin,
 Berry,
 Bishop,
 Balch,
 Bumm,
 Boyle,
 Binder,
 Butcher,
 Boswell,
 Copeland,
 Cowell,
 Conrad,
 Corlies,
 Davenport,
 Dennis,
 Dougherty,
 Dubree,
 Eastwick,
 Gibson,
 Giller,
 Gray,
 Gillingham,
 Gay,
 Green,
 Gratz,
 Graeff,
 Houseman,
 Hoffman,
 Horn,

Messrs. Hacker,
 Hubbard,
 Hilles,
 Hassinger,
 Laws,
 Lloyd,
 Larzalere,
 Mercer,
 Moran,
 Martien,
 Matthews,
 Manuel,
 Magarge,
 Norton,
 Newell,
 O'Neill,
 Pomeroy,
 Parham,
 Preston,
 Read,
 Roberts,
 Stuart,
 Scheets,
 Shuster,
 Smith,
 Stallman,
 Verree,
 Watt,
 Wagner,
 Diel, *President.*

Mr. O'Neill

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Gratz

Presented a petition from a number of citizens, on Jefferson Street, between Tenth and Eleventh Streets, asking that the said street may be paved as soon as practicable.

Which was read and referred to the Committee on Highways, &c.

Mr. Gillingham

Presented a petition from Wm. B. Elliott, asking to be paid for coal furnished the Kensington Water Works, in September last.

Which was read and referred to the Committee on Water Works.

Mr. O'Neill

Moved that the regular order of business be suspended, for the purpose of offering a resolution, and on the motion being agreed to, offered the following :

Whereas, This Council has been informed that the privilege of a member has been grossly violated by another member while attending a meeting of the members of Councils on public business ; therefore be it

Resolved, That a committee of three be appointed to investigate the facts of the case, and that the committee be requested to report at the next meeting.

Which was read.

Mr. Moran

Moved that the preamble and resolution be laid on the table.

On this question the yeas and nays were demanded by Messrs. O'Neill and Dougherty.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Andress, Austin, Bishop, Balch,

Bumm, Binder, Butcher, Boswell, Copeland, Conrad, Corlies, Davenport, Dennis, Dougherty, Dubree, Gibson, Giller, Gay, Green, Gratz, Horn, Hacker, Hubbard, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, Parham, Preston, Roberts, Scheetz, Smith, Stallman, Verree, Wagner.

NAYS—Boyle, Gillingham, O'Neill.

Yeas 43; nays 3.

Which was agreed to.

Mr. Gibson

Presented a petition from Wm. Harper, Jr., asking to have a Fire-plug removed from in front of his door, on Federal Street, between Sixth and Seventh.

Which was read and referred to the Committee on Water Works.

Mr. Boswell

Presented a communication from a number of citizens, recommending Samuel L. Smedley for City Surveyor.

Mr. Horn

Presented one of similar tenor for Joseph Fox.

Which were severally read and referred to the Committee on Surveys, &c.

Mr. Hilles

Presented a petition from owners of property, on Adams Street, (Frankford,) Twenty-third Ward, asking to have said street repaired.

Mr. Newell

Presented a communication from W. J. Cornell, Supervisor of Fifteenth Ward, offering the names of Abraham Myers and Charles Keichline as his sureties.

Also,

One of like import from John Sailor, of the same Ward, offering the names of George Cubler and Jacob F. Beckley.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Smith

Presented a communication from John Wunder, Supervisor of Twenty-second Ward, offering the names of Hiliary Krickbaum and Wm. Bender as his sureties.

Also,

One of like import from Reuben Sands, Supervisor of the same Ward, offering the names of John Stallman and Curtis J. Gilbert.

Which were severally read and approved.

Mr. Gibson

Presented a communication from C. Robinson and John D. Park, relative to the erection of a Fire Alarm and Police Telegraph.

Which was read and referred to the Committee having charge of the same.

Mr. Houseman

Presented a communication from Samuel S. Money, Supervisor of the First Ward, offering the names of S. McManemy and R. B. Salter as his sureties.

Also,

One of like import from Charles Lutz, with the names of Samuel B. Morris and John S. Dallas.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Gillingham

Presented one of similar tenor from James Work, Sixteenth Ward, with the names of Alexander M. Fox and Wm. R. Bald.

Which was read and approved.

Mr. Martien

Presented a communication from the Southwark Hose Company, asking the adoption of the Fire Alarm Telegraph, and a re-organization of the Fire Department, in accordance with the bill reported to Council.

Which was read and referred to the Committee on Trusts, &c.

Mr. Andress

Presented a communication from John Mecke, Supervisor of Eleventh Ward, offering the names of George Mecke and Wm. Bowers as his sureties.

Mr. Bishop

One of like import from John Gibbs, of Fifth Ward, with the names of Wm. H. French and Samuel Kelly.

Which were severally read and referred to the Committee on Highways, &c.

Mr. O'Neill

Presented a petition from George Kelly, asking to be paid for constructing a culvert on York Street (late District of Kensington); also, for grading streets in late District.

Which was read and referred to the Committee on Claims.

Mr. Preston

Presented a petition from a large number of citizens of (the late Borough of Manayunk), Twenty-first Ward, asking to have Lamps placed in the streets.

Which was read and referred to the Committee on Gas.

Mr. Gay

Presented a petition from St. Luke's Church, Fourth Street, below Thompson, asking to have a gas lamp placed in front of their building; also, a crossing of flag-stones.

Which was read and referred to the Committees on Gas and Highways.

Mr. Copeland

Presented a petition from merchants and occupants of stores in Water Street, between Market and Chestnut, asking to have removed the three buildings on the west side of Water Street, below Market, in conformity to the will of the late Stephen Girard.

Also,

One from the occupants of the City Stores, Market Street, between Eleventh and Twelfth, asking for the removal of the railroad in front, on said street.

Also,

A communication from John Neff, Superintendent of City Railroads, offering the names of Rudolph Neff and Charles Neff as his sureties.

The President

Laid before Council one of like import from Robert Rodgers, Supervisor of the Second Ward, offering the name of Alexander Greaves as his surety.

Which were severally read and referred to the Committee on Highways, &c.

Also,

A communication from R. J. Hemphill, Secretary of the Board of Control of Public Schools, relative to the purchase of lots of ground for the erection of school houses.

Which was read and referred to the Committee on Schools.

Also,

A communication from Wm. B. Reed, Esq., District Attorney, calling the attention of Councils to the necessity of a provision being made to defray the expenses incident to the successful detection and prosecution of crimes amongst us.

Which was read and referred to the Committee on Police.

Mr. Hacker

From the Committee on Finance, presented a communication from the City Commissioners, together with an estimate of the Engineer and Superintendent of the grading of Girard Avenue, west of the Schuylkill River, which had been referred to the Committee on Finance, and moved that the same be referred to the Committee on Highways, &c.

Which was agreed to.

Also,

A report, with a bill annexed, entitled "An Ordinance to make an appropriation for the payment of a Loan to grow due November 1st, 1854.

Which was read.

On motion

Council proceeded to the second reading and consideration of the bill.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Select Council concurred.

Also,

A communication from the City Commissioners, relative to the pay of jurors, &c., and moved that the reading of the same be dispensed with, and referred to the Committee on Finance.

Which was agreed to.

Mr. Copeland

From the Committee on Highways, &c., presented the following:

To the Select and Common Councils:

The Committee on Highways, &c., report annexed an

Ordinance, making an appropriation of \$5000 from the Delaware Avenue Fund, for repair and re-paving, and ask its adoption.

Also,

A resolution directing the Chief Commissioner of Highways to proceed with the opening of Water Street anew, in accordance with the will of Stephen Girard; annexed is a statement from the Treasurer of the Girard Fund, showing the balance of the fund applicable to the above purpose.

SAMUEL COPELAND,
Chairman.

Committee Room, Oct. 25th, 1854.

On motion

Council proceeded to the second reading and consideration of the bill annexed, entitled "An Ordinance to make an appropriation for the purpose of paying the expense of paving Delaware Avenue, between Market and Arch Streets, with cubical blocks.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

The following resolution accompanied the report.

Resolved, That the Chief Commissioner of Highways be directed from time to time, as the income from the fund appropriated therefor will suffice, to direct the City Solicitor to cause legal proceedings to be instituted for the purpose of ascertaining the damages to be paid to the owners of property in Water Street, between South and Vine Streets, by the laying out of the said Water Street anew.

Which was read twice and passed.

Also,

A report, with a bill annexed, entitled "An Ordinance to make an appropriation to the Department of Highways, Bridges, Sewers and cleansing the City, for the purpose of paying, in part, the expenses incurred and to be incurred in constructing the Girard Avenue Bridge.

On motion

Council proceeded to the second reading and consideration of the bill annexed to the report.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order read a third time and passed.

Select Council concurred.

Also, the following:

To the Select and Common Council:

The Committee on Highways, &c., report a bill making an appropriation to the Department of Highways to meet claims due for labor and materials.

The Committee have examined the claims of Mr. Dixey and Mr. Miles, as referred to them by Councils, and have included the amount due them in the appropriation asked for, and recommend that it be passed.

Respectfully submitted,

SAMUEL COPELAND,

Oct. 25th, 1854.

Chairman.

An Ordinance to make an appropriation to the department of Highways, Bridges, Sewers and Cleansing the City, for the purposes therein mentioned.

On motion

Council proceeded to the second reading of the bill.

Section first being under consideration,

Mr. Balch

Moved that the further consideration of the same be postponed, and printed for the use of the members.

On this question the yeas and nays were demanded by Messrs. Boswell and Dennis.

And being ordered, were as follows :

YEAS—Messrs. Balch, Bumm, Boswell, Eastwick, Gray, Gillingham, Gratz, Hacker, Hassinger, Lloyd, Mercer, Martien, Newell, Pomeroy, Roberts, Stuart, Scheetz, Verree.

NAYS—Messrs. Abbey, Address, Austin, Berry, Bishop, Boyle, Butcher, Copeland, Conrad, Corlies, Davenport, Dennis, Dougherty, Dubree, Gibson, Giller, Grove, Griscom, Gay, Green, Graeff, Houseman, Hoffman, Horn, Hubbard, Hilles, Larzalere, Moran, Matthews, Manuel, Magarge, Norton, O'Neill, Parham, Preston, Read, Shuster, Smith, Stallman, Watt, Wagner, Diehl, *President*.

Yeas 18 ; nays 42.

Which was not agreed to.

The first and only section was then agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time.

And on the final passage of the same the yeas and nays were demanded by Messrs. Balch and Boswell.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Address, Austin, Berry, Bishop, Boyle, Butcher, Copeland, Conrad, Corlies, Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Giller, Grove, Griscom, Gillingham, Gay, Green, Graeff, Houseman, Hoffman, Horn, Hacker, Hubbard, Hilles, Larzalere, Moran, Matthews, Magarge, Norton, Newell, O'Neill, Parham, Preston, Read, Scheetz, Shuster, Smith, Stallman, Watt, Wagner, Diehl, *President*.

NAYS—Messrs. Balch, Bumm, Binder, Boswell, Cowell, Gratz, Hassinger, Lloyd, Mercer, Martien, Manuel, Pomeroy, Roberts, Stuart, Verree.

Yeas 46 ; nays 15.

Which was agreed to.

Select Council concurred.

Also, the following :

To the Select and Common Councils :

The Committee on Highways, &c., report herewith a resolution, releasing from a lien of the District of Penn, a certain property belonging to H. Bickley, which they recommend Councils to pass.

SAMUEL COPELAND,

Oct. 26th, 1854.

Chairman.

Resolved, That the Mayor be authorized, on behalf of the City of Philadelphia, to release from the lien of a judgment, entered in the District Court of the City and County of Philadelphia, on the 1st day of October, 1853, No. 153 D. L. B., in which the District of Penn is plaintiff and Henry Bickley is defendant, the following described property, belonging to the said defendant, namely :

All that lot of ground situate on the west side of Schuylkill water, on Ashton Street, and on the east side of Beach Street, between Spruce and Locust Streets, in the City of Philadelphia, and at the distance of 120 feet from the said Spruce Street, containing in breadth, north and south, on the said Water and Beach Streets, 110 feet, and in length or depth, east and west, 240 feet, bounded on the east by the said Schuylkill water or Ashton Street, on the south by Mary Street, here 20 feet wide, on the west by the said Beach Street, and on the north by City lot, No. 1696.

Which was read and not agreed to.

Mr. Copeland

Moved to suspend the regular order of business, for the purpose of presenting a communication ; and on the

motion being agreed to, offered the names of Samuel L. Hibbs, as surety for Richard M. Batturs, Supervisor of the Ninth Ward.

Which was referred to the Committee on Highways, &c.

Mr. Boswell

Moved that the regular business be further suspended, for the purpose of going into the consideration of the resolutions from Select Council, relative to the Girard Banking House.

Which was agreed to.

Select Council

Informs this Council that they have passed the following resolutions, and ask concurrence :

Joint resolutions relating to leasing certain portions of the Girard Banking House, and a house in Fifth Street.

Resolved, That the Agent of Girard Estates be authorized to lease to the Corporation the north moiety of the Girard Banking House, for the accommodation of the City Treasurer and the City Controller, for the term of five years, at such rent as the Committees on the Girard Estates and City Property may agree upon. And that he also lease to the same, for the use of the Law Department, such part of the Girard Building, in Fifth Street, opposite Minor Street, as they may require, for such terms and at such rent as may be agreed upon by the said Committees.

Resolved, That the Agent of the Girard Estates be directed to lease to the Girard Bank the Southern moiety of the Girard Banking House, for the term of five years, at the annual rent of three thousand dollars.

Which were read twice and passed.

The title was agreed to.

So Common Council concurred.

Mr. Gratz

From the Committee on Police presented a report with a bill annexed, entitled "An Ordinance to make an appro-

priation to the Police Department, for the purposes therein mentioned.”

On motion

Council proceed to the second reading and consideration of the bill annexed to the report.

Mr. Gibson

Moved to amend the same, by adding the words “for the payment of Lamp-lighters, \$3000.”

Which was agreed to.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Mr. Giller

From the Committee to prepare rooms for the accommodation of Councils, submitted a report, with a bill annexed, entitled “An Ordinance to make an appropriation for fitting up the State House building, for the accommodation of Councils.”

On motion

Council proceeded to the second reading and consideration of the bill annexed to the report.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Select Council concurred.

Also, (on leave)

Presented a petition from a number of citizens on Eleventh Street, between South and Shippen, asking that Gas lamps may be placed on said street.

Which was read and referred to the Committee on Gas.

Also,

Moved that the regular order of business be suspended, to proceed to the consideration of the bill, relative to the establishment of a sinking fund for the redemption of the debt of the City of Philadelphia.

Which was not agreed to.

Mr. Gillingham offered the following resolution :

Resolved, That the Mayor be requested to return to Councils the ordinance to organize the Department of Wharves and Landings.

Which was read twice and passed.

Mr. Dennis

Moved that the regular order of business be suspended, for the purpose of proceeding to the consideration of the preamble and resolution (see page 603 of the Journal), relative to the West Philadelphia Gas Works.

Which was agreed to.

The resolution was read twice and passed, and the preamble accepted.

Mr. Hacker offered the following resolution :

Resolved, That the City Commissioners be requested to furnish Councils, on or before the second Wednesday in November, with the number and amount of each warrant they have drawn against the appropriations of July 18, for \$100,000; August 19, for \$100,000; September 9, for \$100,000; September 28, for \$150,000.

Which was read twice and passed.

The following message was received from the Mayor.

MAYOR'S OFFICE,
Philadelphia, Oct. 26th, 1854. }

To the Common Council of the City of Philadelphia :

GENTLEMEN :—I have approved and signed the following ordinance, viz :

“ An Ordinance to make an appropriation to the department of Highways, Bridges, Sewers and cleansing the City, for the purpose therein mentioned.”

R. T. CONRAD,
Mayor.

Which was read and laid on the table.

The President

Laid before Council a communication from Anthony Conrad, Supervisor of the Fourteenth Ward, offering the names of William Conrad and Charles B. Smith as his sureties.

Also,

One of like import from John Conyers, Supervisor of Thirteenth Ward, with the name of George Cress, Jr.

Which were severally read and referred to the Committee on Highways, &c.

Also,

A communication from J. D. Bennett, on behalf of Mrs. Catherine E. Marple, relative to a claim for damages which she sustained in falling on York Street, near Second.

Which was referred to the Committee on Claims.

Mr. Mercer offered the following resolution :

Resolved, That on and after the first of November, the Night Police in the City be, and are hereby required to cry the hour from 10 o'clock, P. M. until 4 o'clock, A. M., during the months of November, December, January, February and March ; that each and every hour of the above named time shall be called by said Night Police (once

in each square), throughout their beats, while on duty, and that the Police Committee are requested to have said resolution enforced.

On motion

Council proceeded to the second reading and consideration of the resolution.

Mr. Newell

Moved that the resolution be laid on the table.

On this question the yeas and nays were demanded by Messrs. Berry and Dougherty.

And being ordered, were as follows :

YEAS—Messrs. Berry, Binder Conrad, Davenport, Gibson, Gay, Hoffman, Horn, Hacker, Larzalere, Matthews, Manuel, Newell, Shuster.

NAYS — Messrs. Abbey, Address, Austin, Bishop, Butcher, Boswell, Cowell, Corlies, Dennis, Dougherty, Dubrec, Giller, Griscom, Graeff, Hubbard, Hilles, Hassinger, Lloyd, Mercer, Martien, Magarge, Norton, Read, Roberts, Stallman, Verree, Wagner, Diehl, *President*.

Yeas 14; nays 28.

Which was not agreed to.

Mr. Norton

Moved that the further consideration of the same be postponed and referred to the Committee on Police.

Mr. Dennis

Moved to amend, by adding the words, "with instructions to report at the next meeting of Councils."

Which was accepted.

The resolution as amended was agreed to.

Mr. Horn offered the following resolution :

Resolved, That the Committee on Police be requested to have removed all watch-boxes now occupying the foot-

ways of the City, and dispose of the same to the best advantage.

Which was read twice and passed.

Select Council concurred.

Mr. Mercer offered the following resolution :

Resolved, That the Police Committee (in accordance with the resolution passed 22d August last), report an ordinance at the next stated meeting, relative to cabs and other vehicles for hire in the City of Philadelphia.

Which was read twice and passed.

Message from Select Council

Informing this Council that they have had under consideration the following resolution :

Resolved, That the Committee on City Property be directed through the proper agent to procure a suitable room for the accommodation of the Supreme Court of Pennsylvania, and have passed the same with the following amendments: strike out "Committee on City Property," and insert in lieu thereof, "City Commissioners," and ask concurrence.

Common Council concurred in the amendment.

Also,

That they had passed the following :

Resolved, That the Committee on Water Works be and they are hereby requested to prepare and report at the next meeting an ordinance regulating and equalizing the water rents of the City.

Which was read, and being under consideration,

Mr. Abbey

Moved to amend the same by striking out the words, "at the next stated meeting," and insert in lieu thereof, "at their earliest convenience."

Which was agreed to.

The resolution as amended was agreed to.

Also,

That they had passed the following preamble and resolution :

Whereas, There are in the Public Schools of the consolidated City of Philadelphia, one hundred and ninety-eight young ladies employed as Teachers, who receive an annual compensation of but \$260, and one hundred and forty-six ladies similarly employed who receive an annual compensation of but \$225 : And

Whereas, These sums are deemed inadequate to the decent and genteel support of a lady, and not a fair compensation for the services rendered. Therefore,

Resolved, That the subject referred to in the preamble be referred to the Committee on Public Schools, to confer with the Board of Controllers of the Public Schools, and report to Councils, by bill or otherwise.

Which was read twice and passed.

So Common Council concurred.

Also, the following :

Whereas, Great inconvenience and embarrassment are now experienced from the existence of various discordant ordinances in the various parts of the City which composed the former municipalities, and it is proper that the City should be governed by a uniform and harmonious system of ordinances : Therefore,

Resolved, That the Mayor, Solicitor and Chairman of the Committee on Police be requested to harmonise the ordinances which bear upon all Police duties, and report the same to Councils for their action.

Which was read twice and passed.

So Common Council concurred

Also,

That they had passed a bill, entitled " An Ordinance relating to the Clerks and Messengers of Councils."

On motion

Council proceed to the second reading and consideration of the bill.

Section first was agreed to.

Section second was agreed to.

Section third being under consideration,

Mr. Norton

Moved to amend the same in the first line, by striking out the word "approval," and insert in lieu thereof, the word "consideration."

Which was agreed to.

The section as amended was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

Section sixth was agreed to.

Section seventh was agreed to.

Section eighth was agreed to.

Section ninth was agreed to.

Section tenth was agreed to.

Section eleventh was agreed to.

Section twelfth was agreed to.

Section thirteenth was agreed to.

Section fourteenth being under consideration,

Mr. Dennis

Moved to amend in the third line, by striking out "\$1200," as the salary of the Principal Clerk of Common Council, and insert, in lieu thereof, "\$1500."

Which was agreed to.

Mr. Cowell

Moved further to amend in the fourth line, by striking out "\$900" and insert in lieu thereof "\$1200."

Which was not agreed to.

Mr. Gibson

Moved further to amend in the same line, by striking out the words "three Messengers, each \$600," and insert in lieu thereof, "Messenger of Select Council, \$600; two Messengers of Common Council, each \$700."

On this question the yeas and nays were demanded by Messrs. Berry and Gibson.

And being ordered, were as follows:

YEAS—Messrs. Address, Austin, Berry, Butcher, Cowell, Conrad, Corlies, Davenport, Dennis, Dougherty, Dubree, Gibson, Giller, Griscom, Graeff, Horn, Hacker, Hubbard, Hilles, Laws, Lloyd, Mercer, Moran, Martien, Matthews, Manuel, Magarge, Norton, Newell, Read, Roberts, Shuster, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Bishop, Binder, Boswell, Gay, Verree.

Yeas 34; nays 6.

Which was agreed to.

Mr. Martien

Moved further to amend in the third and fourth lines, by striking out "\$900," and insert in lieu thereof, "\$1000," as the salary of the Assistant Clerks.

Which was agreed to.

Mr. Dennis

Moved further to amend, by striking out the words "Messenger of Select Council, \$600," and insert in lieu thereof, "Messenger of Select Council, \$700."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to, and the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Mr. Abbey

Moved that Council now proceed to the consideration of the report of the Committee on City Property, to whom was referred the communication of George W. Brown, relative to purchase of sites for Market Houses.

Which was not agreed to.

Mr. Binder

Presented a communication from Andrew Brodie, Supervisor of Twentieth Ward, offering the names of James T. Brodie and Edward Cummings, as his sureties.

Also,

One of like import from Robert K. Abel, Supervisor of the same Ward, with the names of David G. Wagner and Lewis Dingee.

Also,

One of similar tenor from Robert Neel, of the same Ward, with the names of Henry Walter and T. Hopes Palmer.

Which were severally read and referred to the Committee on Highways, &c.

Message from Select Council

Informing this Council that they had passed a bill entitled "An Ordinance to organize the Department of Gas Works, and ask concurrence."

Mr. Norton

Moved that the further consideration of the same be postponed, and printed for the use of members.

Mr. Dennis

Moved further to amend, by adding the words, "and made the special order of the day for Thursday next."

Which was accepted.

The resolution as amended was agreed to.

Mr. Martien offered the following Resolution :

Resolved, That the Committee on Highways be requested to report an Ordinance prohibiting owners or agents of cars, allowing minors or other persons not agents, riding on the platforms of cars, while passing over the City Railroads, and confining the trains running east and west of Broad Street to two cars.

Which was read.

Mr. Abbey

Moved to amend the same in the sixth line by striking out "two" and insert in lieu thereof "one."

Which was accepted.

Mr. Boswell

Moved further to amend in the second line, by striking out the word "report," and insert in lieu thereof the words "inquire into the expediency of reporting."

Which was not agreed to.

The resolution was again read and passed.

Message from Select Council

Informing this Council that they had passed the following resolution :

Resolved, That when we adjourn we adjourn to meet on Tuesday next, at 3 P.M.

Which was read and non-concurred in.

Mr. Stuart

Moved that Council do now adjourn.

Which was agreed to.

Adjourned.

THURSDAY, November 2d, 1854.

Council met—Present,

Messrs. Address,

Austin,
Berry,
Balch,
Bumm,
Boyle,
Binder,
Butcher,
Boswell,
Cresswell,
Conrad,
Corlies,
Dunk,
Davenport,
Dennis,
Dougherty,
Dubree,
Eastwick,
Gibson,
Giller,
Grove,
Gray,
Griscom,
Gillingham,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Hoffman,
Horn,
Hacker,

Messrs. Hubbard,

Hilles,
Hassinger,
Laws,
Lloyd,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Norton,
Newell,
O'Neill,
Powell,
Pomeroy,
Painter,
Preston,
Roberts,
Read,
Randall,
Rhoads,
Stuart,
Scheetz,
Shuster,
Smith,
Stallman,
Taylor,
Verree,
Watt,
Wagner.

Mr. Giller

Moved that the reading of the Journal of last meeting be dispensed with ; and, on the motion being agreed to, presented a memorial of the West Chester and Philadelphia Railroad Company, asking that the Medical Students attending the Clinical Lectures at the Blockley Almshouse, may be permitted to pass over the City Railroad free of toll.

Which was read and referred to the Committee on Highways, &c., with power to act.

Also,

A petition from a number of citizens, asking that the obstructions may be removed from Almond Street, east of Swanson, and the street opened for public use.

Which was referred to the Committee on Highways, &c.

Mr. O'Neill

Presented a petition from a large number of citizens, asking Councils to purchase the Sedgley Estate, adjoining Lemon Hill, for a Public Park.

Which was read and referred to the Committee on City Property.

Mr. Newell

Presented a communication from Wm. D. Newell, Commissioner of Market Houses, offering the names of Dr. Isaac D. Knight, Stewart Newell and Robert Newell as his sureties.

Which was referred to the City Solicitor.

Mr. Gibson

Presented a number of bills of N. Knowles, for coal furnished the Spring Garden Gas Works.

Which was referred to the Committee on Gas.

Mr. Pomeroy

Presented a petition from A. R. Miller, accompanied

with a recommendation of citizens, soliciting the appointment of Clerk of Market for the Ninth Ward.

Which was read and referred to the Committee on Markets.

Mr. Hacker

Presented a communication from the City Commissioners, relative to claims on contract of B. Serverson, for building Iron Bridge across Gunner's Run, at Queen Street.

Mr. Verree

One from Wm. G. Brown, Supervisor of the Twenty-third Ward, offering the name of D. Grafley as his surety.

Mr. Hilles

One of like import from Wm. P. Cooper, Supervisor of the same ward, with the names of Daniel Faunce and Samuel Wilson.

Mr. Graeff

One of similar tenor from Edward Strouss, Supervisor of the Twenty-first Ward, with the names of Charles Boone and James M. Preston.

Mr. Martien

One of the same tenor from Samuel Kiker, Supervisor of the Tenth Ward, with the names of Peter Kiker and S. P. Hancock.

The President

One of the same tenor from Wm. Green, Supervisor of the Seventeenth Ward, with the names of Robert H. Cooper and Wm. Creighton.

Mr. Mercer

Presented a petition from a number of citizens, calling the attention of Councils to the bad condition of Corn Street, above Wharton, Second Ward.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Gratz

Presented a communication from a number of citizens, recommending Amos Bond, of the Twentieth Ward for Clerk of Market.

Which was read and referred to the Committee on Markets.

Mr. Martien

Presented a memorial from the Insurance Companies of the City, urging the adoption of the Fire Alarm and Police Telegraph.

Also,

One from the Board of Directors of the Fire Department, asking the adoption of Farmers' American or Boston system of Fire Alarm Telegraph, now in successful operation in Boston.

Which were severally read and referred to the Joint Special Committee having charge of that subject.

Mr. Hilles

Presented a communication from a large number of citizens, recommending Isaac Shallcross for Surveyor of Twenty-third Ward.

Which was read and referred to the Committee on Surveys, &c.

The President

Laid before Council a petition from Daniel Jeffras, asking an appropriation for the payment of road damages.

Which was read and referred to the Committee on Finance.

Mr. Butcher

Presented the report (*see Appendix No. 67*) of Frederick Graeff, Chief Engineer of the Water Department, relative to the condition and availability of the Water Works in the Twenty-fourth Ward.

Mr. Boswell

Moved that the further reading thereof be dispensed with, and printed for the use of the members.

On this question the yeas and nays were demanded by Messrs. Butcher and Randall.

And being ordered, were as follows:

YEAS—Messrs. Balch, Binder, Boswell, Cresswell, Conrad, Corlies, Davenport, Dubree, Gibson, Giller, Griscom, Gay, Gratz, Horn, Laws, Mercer, Moran, Matthews, Newell, O'Neill, Painter, Preston, Read, Rhoads, Scheetz, Taylor.

NAYS—Messrs. Address, Berry, Bumm, Butcher, Dunk, Dougherty, Gillingham, Green, Houseman, Hoffman, Hacker, Hubbard, Hilles, Hassinger, Lloyd, Martien, Norton, Randall, Stuart, Shuster, Stallman, Verree, Wagner.

Yeas 26 ; nays 23.

Which was agreed to.

Mr. Giller

Moved that the regular order of business be suspended for the purpose of proceeding to the consideration of the bill to provide a Sinking Fund for the redemption of the debt of the City of Philadelphia.

Which was agreed to and the ordinance read, when

Mr. Balch

Moved that the further reading of the same be postponed and re-committed to the Committee on Finance.

Which was subsequently withdrawn.

On motion

Council proceeded to the second reading of the bill.

Section first being under consideration,

Mr. Balch

Renewed his motion to postpone and re-commit.

Which was again withdrawn.

Mr. Pomeroy

Moved the previous question, and was sustained in the call by the following members rising:

Messrs. Pomeroy, Binder, Gray, Mercer, Gibson, Smith, Gay, Giller, Roberts, Read, Bumm, and Hoffman.

The question being, shall the main question be now put,
It was agreed to.

The main question being the adoption of the first section of the bill,

The yeas and nays were demanded by Messrs. Balch and Hacker.

And being ordered, were as follows:

YEAS—Messrs. Andress, Berry, Bumm, Boswell, Dunk, Davenport, Dennis, Eastwick, Giller, Griscom, Gillingham, Green, Gratz, Houseman, Horn, Hacker, Hilles, Moran, Norton, Newell, Preston, Read, Randall, Stuart, Shuster, Smith, Watt, Wagner.

NAYS—Messrs. Austin, Balch, Boyle, Binder, Butcher, Cresswell, Conrad, Corlies, Dougherty, Dubree, Gibson, Grove, Gray, Gay, Hoffman, Hubbard, Hassinger, Laws, Lloyd, Larzalere, Mercer, Martien, Matthews, Manuel, O'Neill, Powell, Pomeroy, Painter, Rhoads, Roberts, Stallman, Taylor, Verree.

Yeas 28; nays 23.

It was not agreed to.

Mr. Painter

Moved a re-consideration of the vote just taken.

Which was agreed to.

Section first being again under consideration,

Mr. Laws

Moved that the further consideration of the bill be postponed, and made the special order of the day, for next Thursday.

Which the Chair decided to be out of order.

Messrs. Bunn and Hoffman

Moved a re-consideration, by which the previous question was taken.

Which was agreed to.

Mr. Moran

Moved a re-consideration of the vote by which the previous question was ordered, and on the motion being agreed to, moved that the further consideration of the bill be postponed and made the special order of the day, for next Thursday.

Mr. Pomeroy

Moved to amend by striking out "next Thursday" and insert in lieu thereof, "Thursday the 30th inst."

Mr. Newell

Moved an amendment to the amendment, by striking out "Thursday the 30th inst.," and insert in lieu thereof, "Thursday the 16th inst."

Which was accepted, and the amendment agreed to.

Mr. Gillingham

Moved to suspend the regular order of business, for the purpose of offering a resolution; and on the motion being agreed to, offered the following:

Resolved, That the Committee on Highways, &c., be instructed to report to Council, at the next stated meeting, an ordinance to provide for building a culvert over the Co hocksink Creek, in the Sixteenth and Seventeenth Wards.

On Motion

Council proceeded to the second reading and consideration of the resolution.

The question being on the adoption of the same,

The yeas and nays were demanded by Messrs. Randall and Gay.

And being ordered, were as follows :

YEAS—Messrs. Andress, Austin, Berry, Bumm, Boyle, Binder, Butcher, Demis, Dougherty, Dubree, Griscom, Gillingham, Gay, Green, Gratz, Horn, Hilles, Larzalere, Mercer, Matthews, Manuel, Newell, O'Neill, Pomeroy, Painter, Stuart, Taylor, Watt.

NAYS—Messrs. Balch, Boswell, Dunk, Corlies, Davenport, Gibson, Giller Graeff, Houseman, Hoffman, Hubbard, Hassinger, Lloyd, Moran, Martien, Norton, Powell, Preston, Read, Rhoads, Roberts, Shuster, Verree.

Yeas 28 ; nays 23.

It was agreed to.

Mr. Smith

Presented a communication from Charles M. Paraday, Supervisor of the Twenty-second Ward, offering the name of Spencer Roberts Miller, as his surety.

Mr. Hoffman

One of similar tenor from Wm. B. Davis, Supervisor of the Sixth Ward, with the names of Jacob Miller and Gilbert Adams.

Mr. Watt

One of the same tenor from Joseph White, Supervisor of the Seventh Ward, with the names of Wm. White and John White.

Mr. Martien

One from A. G. Hines, License Clerk, offering the names of Samuel Megarge and Addison Hines as his sureties.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Read

Presented a communication from M. Bouvier, calling the attention of Councils to the bad condition of the Thompson Street Culvert, in consequence of which the cellar of his

house, situated on Broad Street, south of Thompson Street, is filled with water to the height of five feet.

Which was read and referred to the Committee on Highways, &c.

Mr. Boswell

Moved that the regular order of business be suspended for the purpose of offering a resolution.

And on the motion being agreed to, offered the following:

Resolved, That when we adjourn we adjourn to meet on Tuesday next, at 3 o'clock P. M.

Which was read twice and passed.

Mr. Hacker

From the Committee on Finance, presented the following report:

Phila. Nov. 1st, 1854.

The Committee on Finance report the following Ordinance and Resolution to authorise a loan to pay the second instalment on the subscription to the North Western Railroad Company.

WM. P. HACKER,

Chairman.

Mr. Verree

Moved that the further reading and consideration of the ordinance and resolution annexed to the report be postponed for the present.

Which was agreed to.

Mr. Pomeroy

Moved that the regular order of business be suspended for the purpose of going into the consideration of the bill establishing the Gas Department.

Which was not agreed to.

Mr. Gratz

Moved that the regular order of business be suspended for the purpose of going into the consideration of the resolution from Select Council relative to the Thompson Street Culvert.

Which was agreed to.

Select Council

Informs this Council that they have had under consideration the resolution relative to the completion of the Thompson Street Culvert, and have passed the same with amendments, to wit: strike out "Henry Haines, Esq., Surveyor of the District of Penn," and insert the words, "the Chief Commissioners of Highways." Also, strike out "January," where it occurs, and insert the word "April."

Also, adopted the following title:

Joint resolution relative to the Thompson Street Culvert.

Common Council concurred in the amendments.

Also concurred in the title.

The following message was received from the Mayor:

MAYOR OFFICE,
Philadelphia, Nov. 2d, 1854. }

To the Common Council of the City of Philadelphia:

GENTLEMEN:—I have approved and signed the following ordinances, viz:

"An Ordinance, entitled 'An Ordinance to make an appropriation for fitting up the State House building for the accommodation of Councils.'"

"An ordinance, entitled 'An Ordinance to make an appropriation for the payment of a Loan, to grow due November 1st, 1854.'"

R. T. CONRAD,
Mayor.

Which was laid on the table.

Mr. Martien

From the Committee on Trusts, &c., made report, with an ordinance annexed, entitled,

“ A Supplement to an Ordinance, approved August 22d, 1854, entitled “ An Ordinance to provide for the care and management of the Trusts vested in the Corporation of the City of Philadelphia, except the Girard Trust.”

On motion

Council proceeded to the second reading and consideration of the bill annexed to the report.

The first and only section was agreed to.

The title was agreed to,

And the bill ordered to be prepared for a third reading.

It was then by special order read a third time and passed.

Mr. Hacker offered the following resolution :

Resolved, That the City Treasurer, under the supervision of the Finance Committee, be empowered to employ such additional temporary aid as may be necessary to enable him to ascertain, as far as possible, the *actual* debt, liabilities, and all other matters relating to the finances of the Consolidated City.

Which was read.

Mr. Berry

Moved that we do now adjourn.

Which was agreed to.

Adjourned.

TUESDAY, November 7th, 1854.

Council met, pursuant to adjournment—Present,

| | |
|------------------|---------------------------|
| Messrs. Andress, | Messrs. Lloyd, |
| Austin, | Larzalere, |
| Berry, | Mercer, |
| Balch, | Moran, |
| Butcher, | Martien, |
| Boswell, | Matthews, |
| Copeland, | Manuel, |
| Cresswell, | Norton, |
| Conrad, | Newell, |
| Dennis, | O'Neill, |
| Dubree, | Pomeroy, |
| Eastwick, | Parham, |
| Giller, | Randall, |
| Gillingham, | Rhoads, |
| Green, | Stuart, |
| Gratz, | Stallman, |
| Graeff, | Wagner, |
| Hubbard, | Diehl, <i>President</i> . |
| Hassinger, | |

There being less than a quorum,

Mr. Randall

Moved that Council do now adjourn.

On this question the yeas and nays were demanded by Messrs. Randall and Dennis.

And being ordered, were as follows :

YEAS—Messrs. Berry, Balch, Copeland, Cresswell, Conrad, Dennis, Dubree, Eastwick, Green, Lloyd, Larzalere, Martien, Parham, Randall, Stuart, Diehl, *President*.

NAYS—Messrs. Andress, Austin, Butcher, Boswell, Giller, Gillingham, Gratz, Graeff, Hubbard, Hassinger, Mercer, Moran, Matthews, Manuel, Norton, Newell, O'Neill, Pomeroy, Rhoads, Stallman, Wagner.

Yeas 16 ; nays 21.

Which was not agreed to.

Mr. Newell

Moved that a recess of fifteen minutes be taken.

Which was subsequently withdrawn.

Mr. Stuart

Moved that we do now adjourn.

On this question the yeas and nays were demanded by Messrs. Moran and Giller.

And being ordered, were as follows :

YEAS—Messrs. Berry, Balch, Boswell, Copeland, Cresswell, Conrad, Dennis, Dubrec, Eastwick, Green, Lloyd, Larzalere, Martien, Matthews, Parham, Randall, Stuart, Stallman, Wagner, Diehl, *President*.

NAYS—Messrs. Andress, Austin, Butcher, Giller, Gillingham, Gratz, Graeff, Hubbard, Hassinger, Mercer, Moran, Manuel, Norton, Newell, O'Neill, Pomeroy, Rhoads.

Yeas 20 ; nays 17.

Which was agreed to.

So Council adjourned,

THURSDAY, Nov. 9th, 1854.

Council met—Present,

Messrs. Address,

Berry,
Bishop,
Balch,
Bumm,
Binder,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Conrad,
Corlies,
Dunk,
Davenport,
Dennis,
Dougherty,
Dubree,
Eastwick,
Grove,
Gillingham,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Harper,
Horn,
Hubbard,

Messrs. Hoppel,

Hilles,
Hassinger,
Laws,
Larzalere,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Norton,
Newell,
O'Neill,
Powell,
Pomeroy,
Painter,
Preston,
Read,
Randall,
Rhoads,
Roberts,
Stuart,
Scheetz,
Shuster,
Smith,
Stallman,
Verree,
Wagner,
Diehl, *President.*

Mr. Hoppel

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Moran

Moved that the regular order of business be suspended, for the purpose of offering a resolution, and on the motion being agreed to offered the following:

Resolved, That the Clerk of this body be instructed to inform the Select Council, that we are now prepared to meet in Joint Convention, for the purpose of electing a Chief of the Department of Surveyors, and twelve subordinates.

Which was read, when

Mr. Boswell

Moved to amend the same by striking out the words "and twelve subordinates," in the sixth line.

Which was not agreed to.

The resolution was again read and passed.

Mr. Verree

Presented a communication from John P. Townsend, Supervisor of the Twenty-third Ward, offering the names of Charles Bacon and Jesse Townsend as his sureties.

Mr. Butcher

Presented a petition from a number of property owners, in the Twenty-fourth Ward, south of Market Street, asking that Walnut Street may be properly graded, and the completion of the bridge over Mill Creek; also, to have a culvert constructed on said street.

Mr. Hilles

One from a number of citizens, asking that Harrison Street may be opened from Jackson Street, through lands of Joseph Matlack and Isaac F. Baker, to Bridge Street, in the late Township of Oxford, now Twenty-third Ward.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Boswell

One from owners of property fronting upon Franklin Avenue, asking to be released in part from paving said Avenue, between Marlborough and Ash Streets.

Which was read and referred to the Committee on Highways, &c., in conjunction with the Chief Commissioner.

Mr. Martien

A communication from the United States Fire Company, relative to the re-organization of the Fire Department, in connection with the Fire Alarm Telegraph, and asking that the same may be adopted.

Which was read and referred to the Committee on Trusts, &c.

Mr. O'Neill

Moved that the regular order of business be suspended, for the purpose of offering a resolution, and on the motion being agreed to, offered the following :

Resolved, That the Clerks be directed to have the Journals of the Select and Common Councils bound together, quarterly, for the use of members.

Which was read twice and passed.

Also, the following :

Resolved, That the Chief of City Property be directed to furnish the Councils with a statement of all the Real Estate belonging to the City, under his care. Which statement shall set forth :

1st. Its location and full description thereof.

2d. Its value as compared with like property.

3d. How occupied or used.

4th. Whether, and what it costs the City per year to keep it in order.

5th. What income, if any, is derived by the City for the same.

Which was read twice and passed.

The President

Presented a communication from George Boggs, Supervisor of the Eighteenth Ward, offering the names of James Boggs, Jr., and George W. Einwechter, as his sureties.

Which was referred to the Committee on Highways, &c.

Also,

One from the Taylor Hose Company, asking aid in the erection of a building for their accommodation.

Which was read and referred to the Committee on Water Works.

Also,

One from the City Commissioners, asking that some provision may be made for the accommodation of the Supreme Court of the State.

Also,

One from the Board of Health, asking that the Superintendent of the City Burial Ground, on Bush Hill, may be dismissed, inasmuch as he refuses to comply with the instructions of the Board, in reference to the interments of bodies.

Which were severally read and referred to the Committee on City Property.

Also,

A petition from S. L. Uffenheimer, asking that a Gas Lamp may be placed in a court, on the north side of Poplar Street, between Third and St. John Streets, in the Sixteenth Ward.

Which was read and referred to the Committee on Gas.

Also, the following communication :

To the Select and Common Councils of the City of Philadelphia :

GENTLEMEN :—A number of your fellow citizens, a list of whose names is annexed hereto, have purchased the estate on the Old York Road, known as the Hunting Park

Course, containing forty-five acres, with the intention of presenting it to the City, for, and thereby dedicating it forever as a Public Park and pleasure ground. The undersigned have been deputed to carry into effect this design, and, therefore, request your honorable bodies to appoint a Committee for the purpose of conferring with them on the subject generally, and of receiving the grant of the said estate to the Corporation, when the conditions thereof shall be fully arranged between us.

Respectfully submitted by

C. H. FISHER,
J. R. INGERSOL,
JAMES DUNDAS,
G. ROBERT SMITH,
PHILIP M. PRICE,

Committee.

| | |
|----------------------|-----------------------------|
| C. H. Fisher, | H. P. McKean, |
| Thos. T. Lea, | David S. Brown, |
| John Tucker, | John Grigg, |
| Isaac R. Davis, | Joseph D. Brown, |
| F. N. Buck, | George G. Presbury, Jr. |
| John Rice, | John Farnum, |
| Jo. Swift, | Richard Ashurst, |
| Jacob Steinmetz, | E. M. Davis, |
| Chas. P. Fox, | Jas. D. Whetham, |
| F. Fraley, | C. W. Churchman and friends |
| Pierce Butler, | J. R. Ingersoll, |
| Joseph S. Lovering, | E. Vansyckle, |
| Harry Ingersoll, | Isaac Norris, |
| John A. Brown, | William Welsh, |
| Geo. Cadwalader, | Gustavus G. Logan, |
| Geo. Roberts Smith, | John B. Myers, |
| Alfred Cope, | J. Francis Fisher, |
| S. Morris Waln, | Wm. Goodrich, |
| Samuel Welsh, | Isaac F. Baker, |
| Jas. Dundas, | Caleb Cope and friends, |
| P. M. Price, | Chas. H. Rogers and friend, |
| J. Dickenson Logan, | Geo. B. Wood and friends. |
| Morris L. Hallowell, | |

Which was referred to a joint special committee of three from each Chamber, together with the President of Select and Common Councils.

Messrs. Balch, Giller and Eastwick were appointed on behalf of Common Council.

Also,

A communication from Samuel S. Huff, Supervisor of the Twenty-fourth Ward, offering the names of T. K. Collins and James Smith, as his sureties.

Mr. Copeland

One from owners of property on Taylor Street, between Pratt and Brown Streets, asking that said Street may be graded as soon as practicable.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Gratz

From the Committee on Finance, presented the following:

To the Select and Common Councils of the City of Philadelphia:

GENTLEMEN:—The undersigned Committee on Finance, to whom was referred the securities of John Neff, Superintendent of City Railroads, have examined into the matter, and offer the following resolution.

WM. P. HACKER,
Chairman.

Committee Room, Nov. 19th, 1854.

Resolved, That Rudolph Neff and Charles Neff be accepted as securities of John Neff, Superintendent of City Railroads.

Which was read twice and passed.

Select Council concurred.

Also,

Made report, with a bill annexed, entitled "An Ordinance to make an appropriation to the City Commissioners."

Which was read.

On motion

Council proceeded to the second reading and consideration of the bill.

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then by special order read a third time and passed.

Select Council concurred.

Mr. Newell,

From the Committee on Markets, &c., presented the following:

To the Select and Common Councils of the City of Philadelphia:

GENTLEMEN:—The Committee on Market Houses, to whom was referred the securities of Wm. D. Newell, Commissioner of Market Houses, have examined into the matter, and offer the following resolution.

ROBERT NEWELL,
Chairman.

Committee Room, Nov. 9th, 1854.

Resolved, That Dr. Isaac D. Knight, Stewart Newell and Robert Newell be accepted as securities of Wm. D. Newell, Commissioner of Market Houses.

Which was read twice and passed.

Mr. Dennis

From the Committee on Gas, made report, with a bill annexed, entitled "An Ordinance to make an appropriation for the purposes therein mentioned."

Which was read.

On motion

Council proceeded to the second reading and consideration of the bill.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then by special order read a third time and passed.

Select Council concurred.

Also,

Made report with a bill annexed, entitled "An Ordinance to make an appropriation to pay for the expense of lighting the Public Lamps."

Which was read.

On motion

Council proceeded to the second reading and consideration of the bill annexed.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

The following message was received from the Mayor :

MAYOR'S OFFICE, }
Phila. Nov. 9th, 1854. }

To the Common Council of the City of Philadelphia :

GENTLEMEN:—I have approved and signed the following Ordinances and Resolution :

An Ordinance, entitled "An Ordinance to make an appropriation to the Department of Highways, Bridges,

Sewers and Cleansing the City, for the purposes therein mentioned."

An Ordinance, entitled "An Ordinance to make an appropriation to the Department of Highways, Bridges, Sewers and Cleansing of the City, for the purpose of paying in part the expenses incurred and to be incurred in constructing the Girard Avenue Bridge."

Resolution entitled "Joint Resolution, relative to the Thompson Street Culvert."

R. T. CONRAD,
Mayor.

Which was read and laid on the table.

Mr. Dennis

Moved that Council do now proceed to the consideration of the bill entitled "An Ordinance to provide for the management of the Gas Works," as passed by Select Council.

Mr. Martien

Moved that Council do now resolve itself into committee of the whole on the bill.

Which was agreed to.

Mr. Hassinger in the Chair,

And after some time spent therein the committee rose, and reported the bill with amendments.

On motion

Council proceeded to the second reading of the bill.

Mr. Norton

Moved that the further consideration of the same be postponed for the present.

On this question the yeas and nays were demanded by Messrs. Norton and Randall.

And being ordered, were as follows :

YEAS—Messrs. Andress, Boswell, Copeland, Dougherty, Eastwick, Gay, Mercer, Norton, O'Neill, Powell, Read, Stuart.

NAYS—Messrs. Berry, Binder, Butcher, Cresswell, Conrad, Corlies, Dunk, Davenport, Dubree, Grove, Green, Gratz, Graeff, Houseman, Horn, Hubbard, Hoppel, Hilles, Hassinger, Larzalere, Martien, Matthews, Manuel, Newell, Pomeroy, Randall, Rhoads, Roberts, Shuster, Smith, Stallman, Wagner, Diehl, *President*.

Yeas 12; nays 33.

Which was not agreed to.

Mr. Smith

Moved that the further consideration of the bill be postponed for a brief period, for the purpose of offering a resolution.

Which was not agreed to.

The first section of the bill being under consideration,

Mr. Randall

Moved to substitute the original section of the bill as passed by Select Council.

Which was agreed to.

The second section being under consideration,

Mr. Randall

Moved to substitute the original section of the bill as passed by Select Council.

Which was also agreed to.

Section third was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

Section sixth was agreed to.

Section seventh was agreed to.

Section eighth being under consideration,

Mr. Martien

Moved to amend in the first line, by striking out the word "Engineer," and insert in lieu thereof, "Register."

Which was not agreed to.

The section was then agreed to.

Section ninth being under consideration,

Mr. Norton

Moved to amend at the end thereof, by adding the following: "The said Register shall give two or more sureties to the Corporation in the sum of \$20,000, to be approved by Councils."

Mr. Moran

Moved an amendment to the amendment by striking out "\$20,000," and insert in lieu thereof, "\$10,000."

Mr. Dennis

Moved that the further consideration of the bill be postponed for the present.

On this question the yeas and nays were demanded by Messrs. Norton and Berry.

And being ordered, were as follows:

YEAS—Messrs. Butcher, Boswell, Copeland, Dunk, Davenport, Dennis, Dougherty, Eastwick, Gay, Harper, Hilles, Laws, Mercer, Norton, Powell, Read, Stuart, Wagner.

NAYS—Messrs. Andress, Berry, Balch, Binder, Cresswell, Conrad, Corlies, Grove, Green, Gratz, Graeff, Houseman, Horn, Hubbard, Hoppel, Hassinger, Larzalere, Moran, Martien, Matthews, Manuel, Newell, Randall, Rhoads, Shuster, Smith, Stallman, Diehl, *President*.

Yeas 18; nays 28.

Which was not agreed to.

The amendment to the amendment was not agreed to.

The amendment was agreed to,

Mr. Norton

Moved further to amend at the end thereof, by adding the following: "And that all other officers authorized to receive monies shall be required to give two or more sureties in the sum of \$20,000."

Which was not agreed to.

The section as amended was agreed to.

Section tenth was agreed to.

Mr. Boswell

Moved that the further consideration of the bill be postponed for the present.

Mr. Randall

Moved to amend by adding the following :

“ For the purpose of going into the consideration of the bill relating to the pay of the Police.”

Which was agreed to.

Select Council

Informs this Council that they have had under consideration bill the entitled “ An Ordinance to make an appropriation to the Police Department, for the purposes therein mentioned, and have passed the same with the following amendments: to strike out \$3000 for the pay of Lamp Lighters.

Which amendments Common Council concurred in.

Mr. Boswell

Moved that the regular order of business be suspended, for the purpose of going into the consideration of the bill from Select Council entitled “ An Ordinance to make an appropriation to the Department for supplying the City with Water.

Which was not agreed to.

Section tenth was then agreed to.

Section eleventh was agreed to.

Mr. Matthews

Moved a re-consideration of the vote by which the tenth section was passed.

And on the motion being agreed to,

Mr. Norton

Moved to amend the same by adding the following at the end thereof:

“And shall require of all officers who shall be authorized to receive monies (except the Chief Engineer, and Register, whose security is hereinbefore provided for), such security as they may deem proper.”

Which was agreed to.

The section as amended was agreed to.

Mr. Boswell

Moved a re-consideration of the vote by which the sixth section was passed.

Which was not agreed to.

Section twelfth was agreed to.

Section thirteenth was agreed to.

Section fourteenth was agreed to.

Section fifteenth was agreed to.

Section sixteenth being under consideration,

Mr. Boswell

Moved that the further consideration of the bill be postponed.

On this question the yeas and nays were demanded by Messrs. Boswell and Butcher.

And being ordered, were as follows :

YEAS—Messrs. Butcher, Boswell, Copeland, Dennis, Dougherty, Gay, Harper, Mercer, Norton, O'Neill, Powell, Read, Stuart, Shuster, Diehl, *President*.

NAYS—Messrs. Andress, Berry, Binder, Cresswell, Conrad, Davenport, Grove, Green, Graeff, Houseman, Horn, Hubbard, Hoppel, Hilles, Hassinger, Laws, Larzalere, Moran, Martien, Matthews, Manuel, Newell, Rhoads, Smith, Stallman, Wagner.

Yeas 15 ; nays 26.

Which was not agreed to.

The section was agreed to.

Section seventeenth being under consideration

Mr. O'Neill

Moved to amend the same by striking out "\$3000," in the third line, and insert in lieu thereof "\$2000."

On this question the yeas and nays were demanded by Messrs O'Neill and Hassinger.

And being ordered, were as follows :

YEAS—Messrs. Gay, Hassinger, O'Neill, Roberts.

NAYS—Messrs. Andress, Berry, Balch, Binder, Boswell, Copeland, Cresswell, Conrad, Corlies, Dunk, Davenport, Dennis, Grove, Green, Gratz, Graeff, Houseman, Harper, Horn, Hubbard, Hoppel, Hilles, Laws, Larzalere, Moran, Martien, Matthews, Manuel, Norton, Newell, Powell, Read, Rhoads, Stuart, Shuster, Smith, Wagner, Diehl, *President*.

Yeas 4 ; nays 38.

Which was not agreed to.

The section was agreed to.

Section eighteenth was agreed to.

Section nineteenth was agreed to.

Section twentieth was agreed to.

Section twenty-first was agreed to.

Section twenty-second was agreed to.

Mr. Balch

Moved a re-consideration of the vote by which the sixth section was passed.

And on the motion being agreed to,

Moved to amend the same, by striking out all after the word "Philadelphia," in the fourteenth line.

And after considerable discussion on the subject,

Mr. Martien

Moved the previous question, and was sustained in the call by the following members rising : Messrs. Berry, Binder, Cresswell, Gay, Grove, Horn, Hubbard, Manuel, Martien, Matthews, Newell and Rhoads.

The question being, shall the main question be now put, the yeas and nays were demanded by Messrs. Hoppel and Dennis.

And being ordered were as follows :

YEAS—Messrs. Andress, Berry, Binder, Cresswell, Corlies, Davenport, Grove, Gay, Gratz, Graeff, Horn, Hubbard, Laws, Larzalere, Martien, Matthews, Manuel, Newell, Rhoads, Roberts, Smith.

NAYS—Messrs. Conrad, Dunk, Dennis, Green, Hoppel, Hilles, Hassinger, Norton, O'Neill, Read, Randall, Stuart, Shuster, Wagner, Diehl, *President*.

Yeas 21 ; nays 14.

Which was agreed to.

The main question being to strike out the proviso, in the sixth section, fourteenth line.

It was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then by special order read a third time and passed.

Mr. Hoppel offered the following resolution :

Resolved, That the Chief Commissioner of Highways be directed to have the obstructions, in Chestnut Street, between Eighth and Ninth Streets, removed immediately.

Which was read, when

Mr. O'Neill

Moved to amend the same by striking out the words "between Eighth and Ninth Streets."

While this question was pending 7 o'clock having arrived,

Council adjourned.

THURSDAY, November 16, 1854.

Council met—Present,

Messrs. Abbey,
Andress,
Austin,
Berry,
Balch,
Bumm,
Binder,
Butcher,
Boswell,
Copeland,
Cowell,
Cresswell,
Conrad,
Corlies,
Dunk,
Davenport,
Dougherty,
Dubree,
Eastwick,
Gibson,
Giller,
Gray,
Gillingham,
Gay,
Green,
Gratz,
Graeff,
Houseman,
Hoffman,
Horn,

Messrs. Hacker,
Hubbard,
Hilles,
Hassinger,
Laws,
Lloyd,
Mercer,
Moran,
Martien,
Matthews,
Manuel,
Norton,
Newell,
Powell,
Pomeroy,
Parham,
Painter,
Preston,
Read,
Randall,
Stuart,
Scheetz,
Shuster,
Smith,
Stallman,
Verree,
Watt,
Wagner,
Diehl, *President.*

Mr. Stuart

Moved that the reading of the Journal of the last meeting be dispensed with.

Which was agreed to.

Mr. Norton

Presented a communication from the Board of School Directors of the Third Section, First School District, asking permission to use such furniture of the former corporation of Southwark as may be necessary in fitting up a room to hold their meetings in.

Which was read and referred to the Committee on City Property.

Mr. Balch

A petition from a number of citizens relative to the Police and Fire Alarm Telegraph, asking that the same may be adopted immediately.

Mr. Martien

One of similar import from the America Hose Company, and recommending Farmer's American or Boston system.

Which were severally read and referred to the Committee having charge of that subject.

Mr. Butcher

One from a number of citizens asking the early completion of the West Philadelphia Water Works.

Which was read and referred to the Committee on Water Works.

Mr. Gibson

One from property holders on Ninth Street, between Federal and Passyunk Road, asking that gas pipes may be laid and said street paved.

Which was read and referred to the Committee on Water Works and Highways.

Mr. Dubree

A communication from Thomas S. Davis, George Blackbyrne and Thomas Ryan, former contractors of the Thompson Street Culvert, notifying Councils their intention of applying to the proper tribunal without delay for a special injunction to restrain the City and all others from commencing or prosecuting said work.

Which was read and laid on the table.

Mr. Eastwick

Moved that the regular order of business be suspended for the purpose of offering a resolution.

And on the motion being agreed to, offered the following:

Resolved, That Select Council be informed that Common Council are in readiness to meet them in convention to elect the Chief Engineer of the Department of City Surveyors and Regulators.

Which was read.

Mr. Randall

Moved to amend the same at the end thereof, by adding the following: "And also twelve District Surveyors, in accordance with the ordinance establishing said Department."

Which was agreed to.

The resolution as amended was again read and passed.

Mr. Gratz

Presented a communication from John K. Murphy, Marshal of Police, asking for an appropriation for the payment of certain bills against that Department.

Which was read and referred to the Committee on Police.

Also,

One from Benjamin Whitecar, asking to have refunded the sum of \$408, which he had expended for laying water

pipes in the late District of Penn, in 1851, said pipes having never been laid.

The reading of which was dispensed with, and referred to the Committee on Water Works.

Mr. Hoffman

One from the Phoenix Hose Company, asking for the re-organization of the Fire Department, and the construction of Farmer's American or Boston System of Police and Fire Alarm Telegraph.

Which was read and referred to the Committee having charge of the subject.

Mr. Andress

One from R. P. Gillingham, asking permission to improve a frame building on North Front Street, in the Sixteenth Ward.

Which was read and referred to the Committee on Police, with power to act.

Mr. Copeland

Moved that the regular order of business be suspended, for the purpose of going into the consideration of the report of the Committee on Highways, &c., relative to the Third Street Railroad, with the resolution annexed. (*See page 126 Appendix to the Journal.*)

Which was agreed to.

Resolved, That the railroad from Eighth and Market Streets, to its terminus at Dock Street, is necessary for the public good, and ought not to be removed.

The resolution being under consideration,

Mr. Butcher

Moved to amend the same in the second line, by inserting the word "not" after the word "is," and in the third line by striking out the word "not."

Mr. Stuart

Moved that the further consideration of the subject be

postponed, and made the special order of the day for the next meeting.

On this question the yeas and nays were demanded by Messrs. Copeland and Butcher.

And being ordered were as follows :

YEAS—Messrs. Address, Austin, Berry, Binder, Boswell, Cresswell, Corlies, Dunk, Davenport, Dougherty, Gibson, Gray, Gillingham, Gay, Green, Gratz, Houseman, Hacker, Hassinger, Moran, Newell, Read, Stuart, Sheetz, Shuster, Stallman, Wagner, Diehl, *President*.

NAYS—Messrs. Abbey, Bumm, Butcher, Copeland, Cowell, Conrad, Dubree, Eastwick, Giller, Graeff, Hoffinan, Horn, Hubbard, Hilles, Laws, Mercer, Martien, Matthews, Manuel, Norton, Pomeroy, Parham, Painter, Preston, Randall.

Yeas 28 ; nays 25.

Which was agreed to.

The President

Laid before Council a communication from F. Fraley, President of the Trustees of the Philadelphia Gas Works, relative to leakage from the gas pipes in the late District of West Philadelphia.

Which was read and referred to the Committee on Gas.

Also,

One from Robert H. Smith, late City Clerk, with an account of his receipts for entries for vehicles used for hire, from the 1st day of July last to Oct. 1st ; and, also, of his payments to the City Treasurer during the same period.

Which was read and laid on the table.

Mr. Hilles

Presented a number of bills for gas pipes and fixtures, and moved that the reading of the same be dispensed with, and referred to the Committee on Gas.

Which was agreed to.

Also,

Bills of the Supervisors of the late Township of Oxford, for work done and materials furnished.

Which was referred to the Committee on Highways, &c.

Mr. Horn

Presented several bills of the Commissioners of the late District of the Northern Liberties, for Gas. The reading of which was dispensed with and referred to the Committee on Gas.

Mr. Gillingham

Presented a petition from a number of citizens in the western part of the Fifteenth Ward, asking for the abatement of certain nuisances in the streets.

Which was read and referred to the Committee on Highways, &c.

Mr. Moran

Moved that the regular order of business be suspended, for the purpose of offering a resolution.

Which was not agreed to.

Mr. Hacker

From the Committee on Finance, made report, with the accompanying resolution :

Relative to furnishing bills of taxes.

Resolved, By Select and Common Councils that the Receiver of Taxes be directed to furnish duplicate bills of taxes to all persons applying therefor, to enable them to examine the same.

Which was read twice and passed.

The title was agreed to.

Select Council concurred.

Also,

A report, with a bill annexed, entitled "An Ordinance to make an appropriation to the department of Highways, Bridges, Sewers and Cleansing."

On motion

Council proceeded to the second reading and consideration of the bill.

The first and only section was agreed to.

The title being under consideration,

Mr. Randall

Moved to amend the same by adding at the end thereof the following words, "and House of Correction."

Which was agreed to.

And the bill ordered to be prepared for a third reading.

It was then by special order read a third time and passed.

Select Council concurred.

Also,

A report relative to the building of Germantown Hall, with a bill annexed, entitled "An Ordinance to make an appropriation to the department of City Property."

On motion

Council proceed to the second reading and consideration of the bill.

The first and only section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then by special order read the third time and passed.

Select Council concurred.

Also,

Asked to have re-committed to the Committee on Finance the bill entitled "An Ordinance to authorize a loan to pay the second instalment on the subscription to the capital stock of the North Western Railroad Company."

Which was granted.

Mr. Copeland

From the Committee on Highways, &c., made report with the accompanied resolution, and moved its adoption:

Resolved, That the Superintendent of City Railroads be directed to remove, forthwith, the sideling which is on the south side of the railroad in Market Street, between Eleventh and Twelfth Streets.

Which was read twice and passed.

Also,

A bill, entitled "An Ordinance to provide for corrections in certain claims in cases of mistake, and for abatements in the amounts thereof, where equitable offsets exist."

On motion,

Council proceeded to the second reading and consideration of the bill.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Also, the following:

Resolved, That the Mayor be authorized, on behalf of the City of Philadelphia, to release from the lien of a judgment, entered in the District Court, for the City and County of Philadelphia, on the 1st day of October, 1853, to September term, 1854, No. 153, in which the Commissioners and inhabitants of the District of Penn are plaintiffs and Lane Schofield and Henry Bickley are defendants, the following described ground-rent owned by the said Lane Schofield, namely: That certain yearly rent or sum of \$67.50, issuing out of a certain lot or piece of ground, situate on the south side of Lombard Street, at the distance of one hundred and eight feet eastward from the east side of Schuylkill Eighth Street, in the City of Philadelphia, containing in front or breadth, on said Lombard Street, eighteen feet, and extending in length or depth, southward,

of the same width, seventy-five feet, to a three feet wide alley, leading into and from said Schuylkill Eighth Street. Bounded westward by other ground of the said Lane Schofield, eastward by ground granted to Henry Tunison on ground-rent, southward by the said three feet wide alley, and northward by said Lombard Street, being the same premises which the said Lane Schofield, by indenture, dated February 3d, 1853, granted and conveyed to Henry Tunison, his heirs and assigns, subject to the said annual rent, provided the other defendant in the said judgment consent thereto.

Mr. Wagner

Moved to amend, at the end thereof, by adding the following: "Provided his co-sureties first agree in writing and request said release to be made, and that the same shall not impair the validity of said judgment against them or their estates."

Which was subsequently withdrawn.

The resolution was again read and passed.

Mr. Gratz

Chairman of the Committee on Police, made a report in reference to the various subjects referred to them by Councils at different periods.

To the Select and Common Councils of the City of Philadelphia.

The Committee on Police respectfully report that the resolution adopted by Common Council on the 26th of October,—“To report an Ordinance at the next stated meeting, relative to cabs and other vehicles to hire,” have been under consideration, and they are preparing an ordinance to that effect. That the resolution adopted by Common Council on the 3d of October, “instructing this Committee to inquire into the propriety of equipping the Police, &c.” The Committee deem it inexpedient for the city to pay for equipping the police, beyond the recommendation in their last report, dated September 28th, (page 506 of the Journal.) That the resolution passed at the meeting of Common Council, October 26th, relative to crying the hour, consider it inexpedient to enforce the resolution. That the resolution

adopted by Select Council, October 19th, directing this Committee to report rules and regulations for the organization and government of the police force, inform Councils that a manual, covering the object of the resolution, is in progress, and will be completed at the earliest period. The resolution "requesting the Police Committee to report to Councils the situation, rentals, &c., of the houses selected for Police Stations in the several wards, report that in consequence of that branch of this department being yet incomplete, no satisfactory report can be made at present, when perfected, a full report will be furnished Councils."

That the resolution adopted by Select Councils, October 26th, requesting the Mayor, Solicitor and Chairman of the Police Committee to harmonize the ordinances which bear upon all police duties, &c., inform Councils that the same is in preparation, and will be presented to Councils when completed.

That the communication from Mrs. Frowert, which was referred to this Committee, has been under consideration, and referred to a Special Committee of two, to examine into the circumstances and merits of her claim. Also, the claim of Samuel D. Mansfield, police officer of the late District of Spring Garden, for \$17 87, retained from his salary while incapable of attending his duty, in consequence of injury sustained whilst in actual service, was referred to the same Committee. And the Committee recommend an appropriation, as a gratuity, to Mrs. Martha Frowert, of \$500; also, to Samuel D. Mansfield, for \$17 87. And also recommend the payment of \$21, due officers Langfeldt and Forepaugh, for expenses incurred by them in going to New York, in July last, to arrest Downs and Delany, charged with the murder of Michael Rohe, said bill being certified to by Marshal Murphy.

EDW. GRATZ,
HENRY C. PRATT,
CHAS. M. WAGNER,
W. MORAN,
WM. S. SMITH,
R. P. GILLINGHAM,
CHARLES THOMSON JONES,
THOS. BALCH,
GEO. GRISCOM,

Committee Room, November 2, 1854.

Which was read, and ordered to be transmitted to Select Council for information.

Also,

A bill, entitled "An Ordinance to make an appropriation for Police and other purposes therein mentioned."

On motion

Council proceeded to the second reading and consideration of the bill.

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

Section sixth was agreed to.

Section seventh was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then by special order read a third time and passed.

Mr. Martien

Moved that the regular order of business be suspended for the purpose of going into the consideration of the bill, re-organizing the Fire Department of the City of Philadelphia.

Which was not agreed to.

On motion of Mr. Gibson

The Gas Bill, as amended by Select Council, was then taken up, and Common Council receded from their amendments, by striking out the twenty-first section, and the amendment to the twentieth section.

Mr. Balch

Moved that the regular order of business be suspended,

for the purpose of going into the consideration of the bill relative to the Police and Fire Alarm Telegraph.

Which was not agreed to.

Mr. Smith

Moved that Council do now proceed to the consideration of the resolutions from Select Council, relative to the Hempfield Railroad Company.

Which was agreed to.

Select Council

Informs this Council that they have passed the following resolutions :

Resolved, That the Committee on Railroads be authorized to depute one or more of their number to attend the Annual Meeting of the Stockholders of the Hempfield Railroad Company, to be held in the Borough of Washington, on Monday, November the 20th, 1854.

Resolved, That the Railroad Committee be and they are hereby authorized to employ a suitable person to vote the stock held by the City of Philadelphia in the Hempfield Railroad Company, at an election for Directors of said Company, to be held at the Borough of Washington, on Monday, November 20th, 1854.

Which were read twice and passed.

So Common Council concurred.

Mr. Hacker

Moved to suspend the regular order of business for the purpose of going into the consideration of the resolution on page 672, relative to the City Treasurer employing temporary aid to enable him to ascertain the actual debt of the City.

Which was agreed to.

Select Council

Informs this Council that they have passed the following resolution :

Resolved, That the City Treasurer be and he is hereby

authorized to advertise for all persons holding bonds of the late District of Richmond, to present the same, if not already presented, to the office of the City Treasurer, on or before the 15th day of December next, for the purpose of recording the same, otherwise they will not be recognized.

Which was read, when

Mr. Norton

Moved to amend by striking out all after the word "same," in the seventh line.

Which was agreed to, and the resolution as amended was passed.

Mr. Copeland

Moved to suspend the regular order of business, for the purpose of going into the consideration of the report of the Committee on City Property, (*see Appendix No. 66*) relative to the lot on Ninth and Locust Streets, purchased of George W. Brown.

Which was agreed to, and the report read.

Mr. Norton

Moved that the further consideration of the same be postponed for the present.

Mr. Randall

Moved that it be re-committed to the Committee, with instructions to report all the facts in the case, together with the original agreement.

Which was agreed to.

Mr. Mercer

Moved a re-consideration of the vote, by which the bill entitled "An Ordinance establishing the Department of Wharves and Landings."

Which the Chair ruled out of order.

Mr. Boswell

Moved that the regular order of business be suspended for the purpose of going into the consideration of the bill from Select Council, entitled "An Ordinance to make an appropriation to the Department for supplying the City with Water."

Which was not agreed to.

Mr. Gibson offered the following resolution :

Resolved, That the Chief Commissioner of Highways be and he is hereby authorized to have Seventh Street, between Read and Franklin, graded, in order that said street may be paved, in conformity with the petition of property holders presented to this Council, Oct. 19th. *Page 616 of the Journal.*

Which was read twice and passed.

Mr. Hoffman offered the following resolution :

Resolved, That the Clerk of this body be instructed to inform Select Council that we will be prepared to meet them in joint convention at the next meeting, for the purpose of electing the number of Directors which this City is entitled to in the Board of Directors of the Pennsylvania Railroad Company.

Which was read twice and passed.

Mr. Painter offered the following :

Resolved, That the Police Committee be instructed to inquire by what authority a reduction is made in the monthly salary of the Police officers, when sickness prevents their performance of duty.

Which was read.

Mr. Gibson

Moved to amend by adding at the end thereof: "and report at the next meeting of Councils."

Which was accepted.

The resolution was again read and passed.

Mr. Moran offered the following resolution :

Resolved, That the Chief Commissioner of Highways be instructed to have street indicators placed on the lamps at the corner of the streets, lanes and alleys throughout the city.

Which was read twice and passed.

Mr. Horn offered the following :

Resolved, That the Solicitor be instructed to enter satisfaction on the bonds of Charler Geissert, late superintendent of the late District of the Northern Liberties.

Which was read twice and passed.

Mr. Smith

Moved that the regular order of business be suspended for the purpose of going into consideration of the resolution from Select Council relative to the next meeting of Councils.

Which was agreed to.

Whereas, Thursday, the 23d inst., having been set apart by the Executive of the Commonwealth as a day of Thanksgiving and Prayer, a general observance of the day is desirable, as an expression of our obligation and gratitude for the blessings of Divine Providence: Therefore,

Resolved, That when Council adjourn, they do so to meet on Wednesday the 22d, instead of Thursday the 23d inst.

The resolution was read and passed, and the preamble accepted.

So Common Council concurred.

Mr. Giller offered the following resolution :

Whereas, The Reading Railroad Company have adopted the practice of backing their cars from the eastern terminus of their road on or near Broad Street, to the Bridge over the Schuylkill River, at Peter's Island, thereby endangering the lives of citizens: Therefore,

Resolved, That the Committee on Railroads be instructed to take the matter into consideration and report to Council

such measures as they may deem expedient under the circumstances.

Which was read twice and passed.

Mr. Martien

Moved that we do now proceed to the consideration of the bill from Select Council relative to the trusts of the City.

Which was agreed to.

Select Council

Informs this Council that they have concurred in the Bill, entitled "A Supplement to an Ordinance, approved August 22d, 1854," entitled "An Ordinance to provide for the care and management of the Trusts vested in the Corporation of the City of Philadelphia, except the Girard Trust," with amendments, to wit: in the eleventh line, add after the word "same," the words "under the supervision of the Committee on Trusts and Fire Department;" and in the twelfth line, after the word "distribute," add the words, "under said supervision."

Common Council concurred in the amendments.

The President

Laid before Council a communication from John C. Cresson, Chairman of the Committee of the Franklin Institute, inviting the members of Common Council to visit the twenty-fourth Exhibition of American Manufactures.

Which was read and accepted.

Mr. Pomeroy

Moved that the regular order of business be suspended for the purpose of going into the consideration of the bill from Select Council for supplying the City with Water.

Which was agreed to.

Select Council

Informs this Council that they have passed a bill,

entitled "An Ordinance to make an appropriation to the Department for supplying the City with Water."

Which was read, when,

Mr. Smith

Moved that the further reading be postponed, and that the bill be referred to the Committee on Finance.

Which was not agreed to

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

So Common Council concurred.

Mr. Boswell offered the following resolution :

Resolved, That hereafter the regular order of business shall not be suspended, except by a vote of two thirds of the members present.

Which was read, and not agreed to.

Also,

Moved that we do now go into the consideration of the bill from Select Council, for supplying the City with Water.

Which was agreed to.

Select Council

Informs this Council that they have passed a bill, entitled "An Ordinance to make an appropriation to the Department for supplying the City with Water."

On motion

Council proceeded to the second reading and consideration of the bill.

Section first was agreed to.

Section second was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

So Common Council concurred.

Mr. Martien

Moved that the regular order of business be suspended for the purpose of proceeding to the consideration of the bill re-organizing the Fire Department of the City.

On this question the yeas and nays were demanded by Messrs. Wagner and Newell.

And being ordered, were as follows :

YEAS—Messrs. Andress, Balch, Cowell, Corlies, Davenport, Dubree, Eastwick, Gillingham, Graeff, Hubbard, Hassinger, Mercer, Martien, Matthews, Newell, Pomeroy, Stuart, Shuster, Smith, Verree, Wagner.

NAYS—Messrs. Abbey, Berry, Bumm, Binder, Butcher, Boswell, Cresswell, Conrad, Dunk, Dougherty, Gibson, Giller, Gay, Green, Houseman, Hoffman, Horn, Hilles, Lloyd, Manuel, Norton, Powell, Preston, Read, Randall, Stallman, Watt, Diehl, *President*.

Yeas 21 ; nays 28.

Which was not agreed to.

Mr. Pomeroy offered the following resolution :

Resolved, That when this Council take possession of their new rooms, the choice of seats shall be determined by drawing lots, in such manner as may be determined by the Chairman of this body.

Which was read.

Mr. Newell

Moved that the resolution be laid on the table.

Which was not agreed to.

Mr. Gibson

Moved to amend the same, at the end thereof, by adding the words "together with the Committee on Rooms from Common Council."

Which was accepted.

Mr. Boswell

Moved that the further consideration of the subject be postponed, and referred to the Committee on Rooms, with instructions to report some equitable plan for the selection of seats.

Which was not agreed to.

The resolution was again read and passed.

Mr. Dougherty

Moved that we do now proceed to the report of the Committee on Law, relative to providing accommodations for the Supreme Court.

Which was agreed to.

Select Council

Informs this Council that they had received the following report from the Committee on Law, and have passed the resolution attached thereto :

The Committee on Law, to whom was referred the communication from the City Commissioners, in reference to providing suitable rooms for the Supreme Court of the State of Pennsylvania, would report, that they find it impossible to obtain a room of sufficient size in the State House building on Chestnut Street, between Fifth and Sixth Streets, to accommodate the Supreme Court, they would respectfully offer the following resolution :

Resolved, That the second story of the Hall on the Northwest corner of Thirteenth and Spring Garden Streets,

now occupied as the Select Council Chamber, be fitted up for the accommodation of the Supreme Court.

J. L. HUTCHINSON,

Chairman.

November 16, 1854.

On motion,

Council proceeded to the second reading and consideration of the resolution annexed to the report, and after some time spent in the discussion of the same,

Mr. Verree

Moved the previous question, and was sustained in the call by the following members rising: Messrs. Conrad, Dougherty, Gay, Gibson, Hoffman, Hubbard, Horn, Powell, Read and Verree.

The question being, shall the main question be now put,

The yeas and nays were demanded by Messrs. Randall and Cowell.

And being ordered, were as follows:

YEAS—Messrs. Abbey, Balch, Cowell, Conrad, Corlies, Dougherty, Dubree, Gibson, Gay, Gratz, Hoffman, Horn, Hubbard, Lloyd, Martien, Matthews, Powell, Pomeroy, Read, Verree, Wagner, Diehl, *President*.

NAYS—Messrs. Andress, Berry, Bunm, Cresswell, Dunk, Giller, Gillingham, Green, Houseman, Hassinger, Mercer, Norton, Newell, Randall, Stuart, Shuster, Watt.

Yeas 22; nays 17.

So it was agreed to.

The main question being the adoption of the resolution.

The yeas and nays were demanded by Messrs. Norton and Randall.

And being ordered, were as follows:

YEAS—Messrs. Berry, Balch, Cowell, Cresswell, Conrad, Corlies, Davenport, Dubree, Gibson, Gillingham, Gay,

Green, Gratz, Hoffman, Horn, Hubbard, Lloyd, Martien, Matthews, Manuel, Powell, Pomeroy, Read, Verree, Diehl, *President*.

NAYS—Messrs. Abbey, Andress, Bumm, Dunk, Giller, Houseman, Hassinger, Mercer, Norton, Newell, Randall, Stuart, Shuster, Wagner.

Yeas 25 ; nays 14.

Which was agreed to.

So Common Council concurred.

Mr. Cowell offered the following resolution :

Resolved, That the Ordinance re-organizing the Fire Department be the order of the day for next stated meeting of Councils.

Which was read.

The hour of seven having arrived

Council adjourned.

WEDNESDAY, November 22d, 1854.

Council met—Present,

| | |
|----------------|---------------|
| Messrs. Abbey, | Messrs. Horn, |
| Andress, | Hacker, |
| Austin, | Hubbard, |
| Berry, | Hoppel, |
| Bishop, | Hilles, |
| Balch, | Hassinger, |
| Bumm, | Laws, |
| Binder, | Lloyd, |
| Butcher, | Larzalere, |
| Boswell, | Mercer, |
| Copeland, | Moran, |
| Cresswell, | Martien, |
| Conrad, | Matthews, |
| Corlies, | Manuel, |
| Dunk, | Norton, |
| Davenport, | Newell, |
| Dougherty, | O'Neill, |
| Dubree, | Pomeroy, |
| Eastwick, | Parham, |
| Gibson, | Read, |
| Giller, | Randall, |
| Grove, | Roberts, |
| Gray, | Stuart, |
| Gillingham, | Scheetz, |
| Gay, | Shuster, |
| Graeff, | Stallman, |
| Houseman, | Verree, |
| Hoffinan, | Watt, |
| Harper, | Wagner. |

In the absence of the President Mr. Randall was called to the chair.

Mr. O'Neill

Moved that the reading of the Journal of last meeting be dispensed with.

Which was agreed to.

The following message was received from the Mayor :

MAYOR'S OFFICE,)
Phila., Nov. 22, 1854. }

To the Common Council of the City of Philadelphia :

GENTLEMEN:—I have approved and signed the following Ordinances, viz :

“An Ordinance to make an appropriation for the purposes therein mentioned.”

“An Ordinance to make an appropriation to the Police Department for the purposes therein mentioned.”

“An Ordinance to make an appropriation to the Department of City property.”

“An Ordinance to make an appropriation to the Department of Highways, Bridges, Sewers, and cleansing, and the House of Correction.”

“An Ordinance to make an appropriation to the City Commissioners.”

“A supplement to an Ordinance, entitled “An Ordinance to provide for the care and management of the Trusts vested in the corporation of the City of Philadelphia.”

R. T. CONRAD,
Mayor.

Which was read and laid on the table.

Mr. Boswell

Moved that the regular order of business be suspended for the purpose of proceeding to the consideration of the

business from Select Council, now on the desk of the President.

Which was subsequently withdrawn.

Mr. Balch

Presented a communication from the managers of the House of Refuge asking for an additional annual appropriation.

The reading of which was dispensed with.

Referred to the Committee on Finance.

Mr. Copeland

One from a large number of citizens, remonstrating against the removal of the City Railroad, from Eighth and Market Streets to its eastern terminus.

Mr. Boswell

One of like import.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Gibson

One from C. Robinson and J. D. Park, relative to the construction of a Police and Fire Alarm Telegraph.

Which was read and referred to the Committee having charge of that subject.

Mr. O'Neill

Presented a bill of Robert Craig for hauling Paving Stones in the Nineteenth Ward.

Mr. Houseman

A petition from owners and residents of property in the First Ward, in the vicinity of the Delaware and Schuylkill Canal, asking for the abatement of certain nuisances.

Mr. Dougherty

One from Samuel Smith asking that Queen Street adjoining the wharf occupied by the Liverpool and Phila-

delphia Steamship Company may be repaired; also asking that the lamps on said wharf may be lighted as formerly.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Abbey

One from John Gibbs, late one of the day Police of the Fifth Ward, asking to be paid for fifty-three days, lost by sickness, during which time he was unable to attend to duty.

Which was referred to the Committee on Police.

Mr. Binder

A bill of Charles Beine for extra services as Superintendent of Highways of the late District of Penn, in the months of July, August, September and October, amounting to the sum of \$33 66.

Which was referred to the Committee on Finance.

The Chairman

Submitted a communication from Charles B. Penrose Esq., Chairman of a meeting of the Philadelphia Bar, held at the Nisi Prius Court Room this day, containing a number of resolutions relative to the proposed removal of the Supreme Court to the Spring Garden Hall, and respectfully requesting Councils to re-consider their action on the subject, together with a communication from a committee appointed by said meeting to confer with Councils upon the same.

Which was read.

Mr. Balch

Moved that the whole subject be referred to the Committee on Law.

Mr. Boswell

Moved to amend, by adding the words "with instructions to procure if possible suitable rooms for the accomodation of said court."

Both of which were subsequently withdrawn.

Mr. Giller

Moved that the communications be referred to the Committee on City Property.

Which was agreed to.

Also,

A communication from the Board of Guardians of the Poor, asking for an appropriation of \$7000, to introduce Gas into the Almshouse.

Which was read and referred to the Committee on Gas.

Also,

One from R. J. Hemphill, Secretary of the Board of Control of Public Schools, asking to have the water rents, charged to Public Schools for 1854, struck from the water duplicates.

Which was read and referred to the Committee on Water Works.

Also,

One from Henry Schell, H. C. Paul, Tobias Huber, and Albert R. Schofield, asking to be paid for making out the Tax Duplicates, Transcripts and alterations for 21st, 22d, 23d and 24th Wards.

Which was read and laid on the table.

Also,

One from Joseph Brown, Supervisor of Third Ward, offering the names of Peter Lamb, Jr. and Jacob Wilkins as his sureties.

Which was referred to the Committee on Finance.

Also,

One from Joseph Fox, asking for an appropriation of \$1000 on account of the contract for the survey and regulation of the late District of West Philadelphia.

Which was referred to the Committee on Surveys, &c.

Mr. O'Neill offered the following preamble and resolution :

Whereas, Great distress, loss and inconvenience has been sustained by the working-men and others to whom the City is indebted, during the last eight days, in consequence of the Ordinance of Councils, making appropriations for the payment of the same, not being signed by the Mayor, whose business and pleasure has called him several hundred miles away from the city :

And whereas, At a time like the present, when the crimes of lawless and starving poor require a standing army of upwards of one thousand armed police officers to keep the peace, &c., it is absolutely necessary that the Police Department should always have a head in the City to act at once in cases of emergency : Therefore be it

Resolved, That Councils proceed to appoint a proper person to act during the temporary absence of the Mayor, according to the Act of Consolidation in such cases made and provided.

Which was read.

On motion

Council proceeded to the second reading and consideration of the resolution.

Mr. Stuart

Moved to amend the same by substituting the following :

Whereas, The seventh section of the Act of Consolidation, among other things, require in case of the temporary absence of the Mayor, or inability to act, the Councils shall appoint a Mayor to serve until he shall resume the duties of his office.

And whereas, It is known to the citizens, who have had business at the late office of the Mayor, that his honor has been absent from the City for some eight or ten days past, therefore,

Resolved, The Select Council be invited to meet this chamber to elect a qualified person to serve as Mayor.

Mr. Hoppel

Moved that the amendment be laid on the table.

And after some time spent in discussing the same

Mr. Verree

Rose to a point of order, and being stated, was, "is a motion to lie on the table debateable?"

Which the Chair decided it was not.

The question being to lay the amendment on the table.

The yeas and nays were demanded by Messrs. Dougherty and Martien.

And being ordered were as follows :

YEAS—Messrs. Abbey, Berry, Bishop, Bumm, Binder, Butcher, Boswell, Copeland, Conrad, Dunk, Davenport, Eastwick, Gibson, Giller, Grove, Gillingham, Houseman, Hoffman, Harper, Horn, Hacker, Hubbard, Hoppel, Hilles, Laws, Lloyd, Mercer, Moran, Martien, Matthews, Manuel, Norton, Pomeroy, Parham, Read, Randall, Shuster, Stallman, Verree, Wagner.

NAYS — Messrs. Austin, Balch, Cresswell, Corlies, Dougherty, Dubree, Gay, Hassinger, O'Neill, Roberts, Stuart, Scheetz.

Yeas 40 ; nays 12.

Which was agreed to.

Mr. Verree

Moved that the original resolution be laid on the table.

Which was also agreed to.

Mr. Abbey offered the following resolution :

Resolved, That the Special Committee on Fire Alarm and Police Telegraph be directed to report to Councils at their next stated meeting, the result of their investigations into the operation, expense, &c., of the Boston Fire Department, in conformity with the resolution passed by this chamber the twelfth day of September last.

Which was read.

Mr. Martien

Moved that the whole subject be indefinitely postponed.

Which was not agreed to.

The question being on the adoption of the resolution, the yeas and nays were demanded by Messrs. Martien and Newell.

And being ordered, were as follows :

YEAS—Messrs. Bumm, Binder, Butcher, Copeland, Dubree, Eastwick, Hoffman, Hubbard, Hoppel, Hassinger, Martien, Matthews, Manuel, Newell, O'Neill, Pomeroy, Randall, Roberts, Scheetz, Shuster, Stallman, Watt.

NAYS—Messrs. Abbey, Berry, Bishop, Boswell, Cresswell, Conrad, Dunk, Davenport, Dougherty, Gibson, Giller, Gray, Gay, Houseman, Horn, Hacker, Hilles, Laws, Larzalore, Mercer, Norton, Parham, Wagner.

Yeas 22 ; nays 23.

Which was not agreed to.

Mr. Abbey

Moved to amend the resolution in the third line, by striking out the word " Councils," and insert in lieu thereof, " this chamber."

Which was read twice as amended and passed.

Mr. Hacker

From the Committee on Finance, presented the following :

To the Select and Common Councils :

The Committee on Finance, to whom was referred by Select Council the Ordinance to make an appropriation for Police and other purposes therein mentioned, have had the said Bill under consideration, and report it back with an amendment ; in section first, sixth line, by striking out " District Attorney," and insert " Mayor."

W. P. HACKER,

Chairman.

Committee Room, Nov. 22, 1854.

The amendment was agreed to.

The section as amended was agreed to, and the bill passed finally.

Select Council concurred.

Also,

A report, with a bill annexed, entitled "An Ordinance to make an appropriation to the Department of Highways, Bridges, Sewers and Cleansing of the City.

Which was read, when

Mr. Verree

Moved that the further reading and consideration of the bill be postponed and referred to the Committee on Highways, &c.

Which was agreed to.

Also, the following :

To the Select and Common Councils :

The Committee on Finance, to whom was referred by Select Council the Resolution, That the Solicitor be instructed to enter satisfaction on the bonds of Charles Geisert, late Superintendent of the late District of the Northern Liberties, respectfully report, that they deem it inexpedient to enter at present satisfaction on any of the bonds of the old district officers.

WM. P. HACKER,

Chairman.

Committee Room, Nov. 22, 1854.

The report was accepted.

Also, reported the following resolutions :

Resolved, That the Receiver of Taxes be instructed to advertise the names of those persons who have not paid their Taxes, previous to the first day of December, in four of the daily newspapers, and no more.

Resolved, That the Treasurer be directed to inform Councils what amount of fines and penalties has been paid to him, and by whom.

Which were read.

On motion

Council proceeded to the second reading and consideration of the first resolution.

Mr. Norton

Moved to amend the same by striking out all after the word "Resolved," and substituting the following: "That the Receiver of Taxes be instructed to give a general public notice in four public newspapers of this City for ten days, after the first day of December next, to all persons who shall omit to pay their taxes before the first day of January next, and that if not paid by that time, a warrant will be issued to collect the same."

Mr. Boswell

Moved that the further consideration of the subject be postponed, and re-committed to the Committee on Finance, with instructions to confer with the City Solicitor and ascertain the proper manner of giving such public notice, and report at the next stated meeting of Councils.

Which was not agreed to.

The amendment was again read.

Mr. Abbey

Moved an amendment to the amendment, by adding the words, "and no more," after the word "newspapers" in the third line.

Which was accepted.

The amendment was agreed to.

Select Council concurred.

Mr. Stuart offered the following resolution :

Resolved, That in the opinion of Councils it is unnecessary to publish the names of the delinquents.

Which was read, when

Mr. Verree

Moved to amend the same in the second line, by striking out the words, "the delinquents," and insert in lieu thereof, "those who have not paid their taxes."

Which was accepted.

The resolution as amended was read and passed.

The second resolution was again read and passed.

Select Council concurred.

Mr. Hacker

Moved a re-consideration of the vote by which the Bill, entitled "An Ordinance to make an appropriation to the Department for Supplying the City with Water," as agreed to, for the erection of the Water Works in the late District of West Philadelphia.

And on the motion being agreed to,

Moved that the bill be referred to the Committee on Finance.

On this question the yeas and nays were demanded by Messrs. Copeland and Butcher.

And being ordered, were as follows :

YEAS—Messrs. Bumm, Binder, Davenport, Dougherty, Gibson, Giller, Gay, Graeff, Hoffman, Hacker, Hoppel, Has-singer, Laws, Norton, Newell, Parham, Read.

NAYS—Messrs. Abbey, Berry, Balch, Butcher, Boswell, Copeland, Dunk, Dubree, Eastwick, Grove, Gillingham, Houseman, Horn, Hubbard, Hilles, Lloyd, Mercer, Martien, Matthews, Randall, Roberts, Stuart, Shuster, Verree, Wagner.

Yeas 17 ; nays 25.

Which was not agreed to.

Section first being under consideration,

Mr. Norton

Moved to amend, by striking out all after the word "Provided," and substitute the following: "That payment

be made in bonds of the City of Philadelphia, or that a deduction of 10 per cent. be made from the present appropriation in conformity to the contract of said Birkinbine and Trotter, and at the option of said Birkinbine and Trotter.

On this question the yeas and nays were demanded by Messrs. Norton and Copeland.

And being ordered, were as follows :

YEAS—Messrs. Bumm, Binder, Cresswell, Conrad, Davenport, Gibson, Giller, Hoffman, Hacker, Hoppel, Has-singer, Laws, Matthews, Manuel, Norton, Newell, Parham, Read, Roberts, Stuart.

NAYS—Messrs. Abbey, Berry, Baleh, Butcher, Boswell, Copeland, Dunk, Dubree, Eastwick, Grove, Gillingham, Graeff, Houseman, Horn, Hubbard, Hilles, Lloyd, Mercer, Martien, Randall, Verree, Wagner.

Yeas 20 ; nays 22.

Which was not agreed to.

The amendment was not agreed to.

The section was then agreed to, and the bill passed finally.

Mr. Martien

Moved that the regular order of business be suspended for the purpose of presenting a report.

And on the motion being agreed to, made the following :

To the Select and Common Councils :

GENTLEMEN ;—The Committee on Trusts and Fire Department submit the accompanying Bill, entitled “ An Ordinance to make an appropriation to the Superintendent of Trusts.”

JAMES W. MARTIEN,

Chairman.

Committee Room, November 22, 1854.

On motion

Council proceeded to the second reading and consideration of the bill annexed to the report.

Section first was agreed to.

Section second was agreed to.

Section third was agreed to.

Section fourth was agreed to.

Section fifth was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Select Council concurred.

Mr. Copeland,

From the Committee on Highways, &c., presented the following :

To the Select and Common Councils :

The Committee on Highways report a resolution annexed, directing the grading of Sixth Street in the vicinity of Gunners' Run Bridge. Also, the building of a Bridge on and the grading of Washington Avenue, recently opened from Tacony to the Bristol Turnpike ; said works being recommended in a communication from the Chief Commissioner of Highways, hereto annexed.

Respectfully submitted

SAML. COPELAND.

Chairman.

Resolved, That the Chief Commissioner of Highways be directed to have Sixth Street graded from the termination of the curb stone north of the Kensington Reservoir to the Bridge crossing the Reading Railroad, and to cause a Bridge to be erected over a stream crossing Washington Avenue between Tacony and the Bristol Turnpike.

Which was read.

On motion

Council proceeded to the second reading and consideration of the resolution annexed to the report.

Which was agreed to.

Select Council concurred.

Also, the following ;

Resolved, That the Chief Commissioner of Highways be directed to cause Chestnut Street in Twenty-fourth Ward, from Bridgewater Street to Darby Road to be graded.

Which was read twice and passed.

Select Council concurred.

Mr. Copeland .

Moved that the regular order of business be suspended, for the purpose of proceeding to the consideration of the Bill from Select Council relative to the paving of Delaware Avenue.

Which was agreed to.

Select Council

Informs this Council that they have had under consideration a Bill entitled "An Ordinance to make an appropriation for the purpose of paying the expense of paving Delaware Avenue from Market to Arch Streets with cubical blocks."

Which they have passed, with the following amendment : add to the end of Section second, "all bills before being paid shall pass the inspection of the Committee on Girard Estates."

Common Council concurred in the amendment.

Also,

Moved that when we adjourn, we adjourn to meet again on Tuesday afternoon next, at Three O'Clock.

Which the Chairman decided out of order, inasmuch as less than a quorum of members were present.

Council then adjourned.

THURSDAY, November 30, 1854.

Council met—Present

| | |
|----------------|--------------------------|
| Messrs. Abbey, | Messrs. Harper, |
| Andress, | Horn, |
| Austin, | Hacker, |
| Berry, | Hubbard, |
| Bishop, | Hoppel, |
| Balch, | Hilles, |
| Bumm, | Hassinger, |
| Binder, | Laws, |
| Butcher, | Lloyd, |
| Boswell, | Larzalere, |
| Copeland, | Mercer, |
| Cowell, | Moran, |
| Cresswell, | Martien, |
| Conrad, | Matthews, |
| Crispin, | Manuel, |
| Dunk, | Norton, |
| Davenport, | Newell, |
| Dennis, | O'Neill, |
| Dougherty, | Pomeroy, |
| Dubree, | Parham, |
| Eastwick, | Painter, |
| Gibson, | Preston, |
| Giller, | Randall, |
| Grove, | Rhoads, |
| Gray, | Roberts, |
| Griscom, | Stuart, |
| Gillingham, | Shuster, |
| Gay, | Stallman, |
| Green, | Verree, |
| Gratz, | Watt, |
| Graeff, | Wagner |
| Houseman, | Diehl, <i>President.</i> |
| Hoffman, | |

Mr. O'Neill

Moved that the reading of the Journal be dispensed with.

Which was agreed to.

Mr. Dougherty

Moved that the regular order of business be suspended, for the purpose of offering a resolution.

On the motion being agreed to offered the following :

Resolved, That the Clerk be directed to inform Select Council that this Council is ready to meet them in convention this afternoon, for the purpose of electing a Police Magistrate for the Fourth Ward, to fill the vacancy occasioned by the death of Alderman Robert Gaw.

On motion

Council proceeded to the second reading and consideration of the Resolution.

Mr. Verree

Moved to amend by adding at the end thereof, the words "three Directors of the Pennsylvania Railroad Company."

Which was accepted.

Mr. Eastwick

Moved further to amend by adding the words, "a Chief Surveyor and Regulator of the City."

Mr. Abbey

Moved an amendment to the amendment by adding at the end thereof, "and twelve Assistant Surveyors."

Both of which were subsequently withdrawn.

The resolution was read as amended and passed.

Mr. Butcher

Presented petitions from numerous citizens, asking for the removal of the City Railroad on Third Street.

Messrs. Verree, Wagner, Gibson, Gratz, and Gillingham each presented petitions of similar tenor.

Which were referred to the Committee on Highways, &c.

Mr. Copeland

Presented several petitions from merchants and others, remonstrating against the removal of the City Railroad, and asking that the same may be relaid.

Mr. Butcher

Presented a petition from citizens of the Twenty-first Ward, asking that James Street, Falls of Schuylkill, may be opened.

Mr. Hoppel

Presented a petition from property owners on Columbia Avenue, between Germantown Road and Cadwallader Street, asking that said Street may be opened.

Mr. Parham

Presented a petition from residents and owners of property on Fifth Street, between Poplar and Franklin Streets, asking that the curbstones may be reset along said Street.

Which were severally read and referred to the Committee on Highways, &c.

Mr. Gibson

Presented a petition from residents of the south-eastern portion of the City, asking that glass dials may be placed in the clock at the Southwark Hall, and lighted up every night.

Which was read and referred to the Committee on City Property.

The President

Laid before Council a communication from the Hon. A. King, Mayor of the City of Erie, containing an invitation from the Select and Common Council of that City to the Councils of the City of Philadelphia to visit Erie at their earliest convenience.

Also,

A communication from James Cooper, Esq., President of the Sunbury and Erie Railroad Company, tendering an invitation to the officers and members of Councils, to attend the opening of this Road lying between Milton and Williamsport, and also to visit the City of Erie and other points on the Lake.

Which were severally read, accepted and referred to the Committee on Railroads.

Also,

A petition from J. K. Freedly and William Struthers, owners of wharf properties on the River Schuylkill, below Walnut Street, asking that the sewer that empties into the dock adjoining may be repaired.

Which was read and referred to the Committee on Highways.

Also,

A communication from Dr. T. Oliver Goldsmith, late Coroner, asking to be paid the balance due him for fees of office.

Which was read and referred to the Committee on Claims.

Also,

A communication from Wm. M. Taylor, Supervisor of Twelfth Ward, offering the names of Joseph Taylor and John D. Taylor as his sureties.

Which was read and referred to the Committee on Finance.

Also,

A communication from John N. Henderson, City Controller, relative to the financial affairs of the late District of Penn, and other matters connected with the duties of his office as Controller of the City.

Which was read and referred to the same committee.

Mr. Giller

Presented a petition from owners of property fronting on Bedford or Small Street, relating to the gas pipe laid on said street, between Fifth and Sixth Streets.

Mr. Hilles

Presented several bills for labor performed for the Frankford Gas Works since the 27th day of September last.

Mr. Horn

Presented a number of bills of the Northern Liberties Gas Works against the City for Gas.

Which were referred to the Committee on Gas.

Mr. Boswell

Presented a petition from a number of citizens, asking that Walnut Street, in the Twenty-fourth Ward, may be graded, from the late Borough of West Philadelphia to Gray's Lane.

Which was referred to the Committee on Highways, &c.

Mr. O'Neill

Presented a claim of John Berry for damages his property sustained in the opening of Charlotte Street, (late District of Kensington.)

Which was referred to the Committee on Finance.

Mr. Manuel

A communication from P. R. Engard and E. S. Fitch, containing the particulars of a claim against the late District of Kensington, for work done at the Water Works of said District.

The reading of which was dispensed with and referred to the Committee on Claims.

Mr. Martien

Moved that the regular order of business be suspended for the purpose of going into the nomination and election of four Managers of Wills' Hospital.

Which was agreed to.

| | | |
|-------------|-----------|--|
| Mr. Martien | nominated | Charles Ellis. |
| “ | “ | “ Robert Kelton. |
| “ | “ | “ Alex. L. Hodgken. |
| “ | “ | “ Edward Hopper, for the unexpired term of Benjamin Gaskill, resigned. |
| Mr. Gibson | “ | Edward Weatherby. |
| Mr. Bumm | “ | Charles H. Cummings. |
| “ | “ | “ George M. Hill. |
| Mr. Painter | “ | Michael Day. |
| Mr. Graeff | “ | T. Mason Mitchell. |
| Mr. Hubbard | “ | William Neal. |
| Mr. Gray | “ | J. H. Burrows. |

Ballot for Managers of Wills' Hospital. 63 votes cast.

Messrs. Abbey, Address, Bishop, Balch, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Crispin, Dennis, Dougherty, Eastwick, Giller, Grove, Gray, Griscom, Gillingham, Gay, Gratz, Houseman, Hoffinan, Harper, Horn, Hacker, Hilles, Hassinger, Lloyd, Moran, Martien, Norton, Newell, O'Neill, Pomeroy, Parham, Randall, Rhoads, Roberts, Shuster, Verree, Wagner, Diehl, *President*.

43 voted for Charles Ellis.

Messrs. Abbey, Bishop, Balch, Bumm, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Crispin, Dennis, Dougherty, Eastwick, Grove, Gray, Griscom, Gillingham, Gay, Green, Gratz, Hoffman, Harper, Horn, Hoppel, Hilles, Hassinger, Martien, Matthews, Norton, Newell, O'Neill, Pomeroy, Parham, Randall, Rhoads, Shuster, Verree, Watt, Diehl, *President*.

40 voted for Robert Kelton.

Messrs. Abbey, Address, Balch, Bumm, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Crispin, Dunk, Dennis, Dougherty, Eastwick, Giller, Grove, Griscom, Gillingham, Gay, Gratz, Harper, Horn, Hacker, Hoppel, Hilles, Has-

singer, Larzalere, Mercer, Moran, Martien, Matthews, O'Neill, Parham, Randall, Wagner.

36 voted for Alexander L. Hodgken.

Messrs. Address, Austin, Berry, Crispin, Dunk, Davenport, Dougherty, Gibson, Giller, Green, Graeff, Houseman, Hoffman, Hacker, Hubbard, Lloyd, Larzalere, Mercer, Moran, Manuel, Norton, Newell, Pomeroy, Preston, Roberts, Shuster, Stallman, Watt, Wagner, Diehl, *President*.

30 voted for Edmund Weatherby.

Messrs. Bishop, Davenport, Dubree, Gray, Houseman, Mercer.

6 voted for Charles H. Cummings.

Messrs. Austin, Bunm, Dunk, Green, Hoppel, Manuel, Parham.

7 voted for George M. Hill.

Messrs. Austin, Berry, Dubree, Gibson, Green, Hubbard, Parham.

7 voted for Michael Day.

Messrs. Berry, Dunk, Davenport, Dubree, Gibson, Graeff, Hubbard, Lloyd, Larzalere, Matthews, Manuel, Preston, Rhoads, Roberts, Smith, Verree.

16 voted for William Neal.

Messrs. Graeff, Painter, Preston, Stallman.

4 voted for T. Mason Mitchell.

Messrs. Gray, Wagner.

2 voted for J. H. Burroughs.

Charles Ellis, Robert Kelton and Alexander Hodgden having received a majority of all the votes cast, was declared elected for the term of three years.

Messrs. Bishop, Houseman, O'Neill, Pomeroy.

4 voted for Alexander Hodgken, for the unexpired term of Benjamin Gaskill, resigned.

Messrs. Bumm, Hoffman, Watt, Diehl, *President*.

4 voted for Charles H. Cummings, for the unexpired term of Benjamin Gaskill, resigned.

Messrs. Binder, Graeff, Harper, Lloyd, Manuel, Norton, Parham, Preston, Stallman, Verree.

10 voted for Michael Day, for the unexpired term of Benjamin Gaskill, resigned.

Messrs. Hoppel, Painter, Randall.

3 voted for Edward Weatherby, for the unexpired term of Benjamin Gaskill, resigned.

Messrs. Address, Austin, Berry, Balch, Butcher, Boswell, Copeland, Cowell, Cresswell, Davenport, Dennis, Dubree, Eastwick, Gibson, Giller, Grove, Griscom, Gillingham, Gay, Gratz, Horn, Hacker, Hubbard, Hilles, Hasinger, Lloyd, Mercer, Moran, Martien, Matthews, O'Neill, Rhoads, Roberts, Shuster, Wagner.

36 voted for Edward Hopper, for the unexpired term of Benjamin Gaskill, resigned, who having received a majority of all the votes polled, was declared elected.

The Clerk reported that 60 votes were cast.

| | | | | |
|-------------------|----------|----|--------|----------|
| Charles Ellis | received | 43 | votes. | Elected. |
| Robert Kelton | “ | 40 | “ | “ |
| Alex. L. Hodgken | “ | 35 | “ | “ |
| E. Weatherby | “ | 30 | “ | |
| C. H. Cummings | “ | 6 | “ | |
| George M. Hill | “ | 7 | “ | |
| Michael Day | “ | 7 | “ | |
| William Neal | “ | 16 | “ | |
| T. Mason Mitchell | “ | 4 | “ | |
| J. H. Burrows | “ | 2 | “ | |

For the unexpired term in place of Benjamin Gaskill, resigned,

Edward Hopper received 36 votes. Elected.

A. L. Hodgken " 4 "

C. H. Cummings " 3 "

Michael Day " 10 "

E. Weatherby " 4 "

Mr. Martien

Presented a communication from the America Fire Engine Company, relative to the re-organization of the Fire Department of the City, in connection with the Police and Fire Alarm Telegraph, and recommending Farmers' American System.

Which was read, and referred to the Committee having charge of that subject.

Mr. O'Neill

A communication from George C. Collins, Esq. Attorney for Catharine O. Callahan, asking redress for injuries she sustained in crossing one of the Public Squares.

The reading of which was dispensed with, and referred to the Committee on Finance.

Select Council

Informs this Council that they are ready to meet in Convention for the purpose of electing a Police Magistrate for the Fourth Ward, and three Directors of the Pennsylvania Railroad Company.

Which was read and passed.

The members of Select Council entered the Chamber.

When Councils met in convention.

Mr. Dougherty

Nominated George Moore for Police Magistrate of Fourth Ward.

Mr. Berry

Moved that the nomination close.

Which was agreed to.

Ballot for Police Magistrate of Fourth Ward.

Select Council

Messrs. Bullock, Caldwell, Cornman, Duffee, Hague, Hinman, Hutchinson Jones, N. L. Keyser, Kline, Knorr, Miller, Pratt, Roberts, Sandgran, Selby, H. L. Smith, W. S. Smith, Stokes, Thomas, Waterman, Verree, *President*,

22 voted for George Moore.

Common Council

Messrs. Abbey, Address, Berry, Bishop, Balch, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Conrad, Crispin, Dunk, Davenport, Dennis, Dougherty, Dubree, Eastwick, Gibson, Giller, Grove, Gray, Griscom, Gay, Gratz, Graeff, Houseman, Harper, Horn, Hubbard, Hoppel, Hilles, Hassinger, Lloyd, Larzalere, Mercer, Moran, Martien, Matthews, Manuel, Norton, Newell, O'Neill, Pomeroy, Parham, Painter, Preston, Randall, Rhoads, Roberts, Stuart, Shuster, Stallman, Verree, Watt, Wagner, Diehl, *President*.

58 voted for George Moore.

The Clerks reported that 80 votes were polled

And that George Moore had received the whole number of votes.

The Convention then proceeded to nominate three directors of the Pennsylvania Railroad Company.

Mr. Martien nominated William R. Thompson

Mr. Thomas " George Howell

Mr. Newell " William Neal

Mr. Giller " James Tennent

Mr. Painter " John H. Bringhurst

Mr. Waterman " William Ayres

Mr. Duffee " Peter Fritz

Mr. Bishop " R. Rundle Smith

Mr. Hacker " John M. Ford

Mr. Grove " A. J. Derbyshire

Mr. Gray " Jacob B. Lancaster

Mr. Gratz " Stacy B. Barcroft

*First ballot for Directors of Pennsylvania Railroad
Company. 87 votes cast.*

Select Council,

Messrs. Cornman, Duffee, Hutchinson, Jones, N. S. Keyser, Knorr, Miller, Pratt, Sandgram, H. L. Smith, Stokes.

11 voted for Peter Fritz.

Common Council,

Messrs. Address, Austin, Berry, Balch, Bumm, Binder, Conrad, Crispin, Dunk, Davenport, Dennis, Dubree, Gibson, Giller, Grove, Gray, Griscom, Gillingham, Gay, Green, Graeff, Hubbard, Hoppel, Hilles, Hassinger, Laws, Mercer, Moran, Manuel, O'Neill, Parham, Painter, Preston, Rhoads, Roberts, Stallman.

36 voted for Peter Fritz.

In all 47 votes. Elected.

Select Council,

Messrs. Caldwell, Pratt, Sandgran, and Selby.

4 voted for James Tennent.

Common Council,

Messrs. Abbey, Address, Berry, Bishop, Balch, Butcher, Boswell, Cowell, Crispin, Dunk, Davenport, Dennis, Dougherty, Dubree, Gibson, Giller, Griscom, Gillingham, Gay, Green, Gratz, Houseman, Hoffman, Horn, Hacker, Hoppel, Hilles, Laws, Larzalere, Mercer, Matthews, Manuel, Norton, Newell, O'Neill, Painter, Preston, Randall, Stuart, Verree, Wagner, Diehl, *President*.

43 voted for James Tennent.

In all 47 votes. Elected.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffee, Hague, Hinman, Jones, N. L. Keyser, Kline, Knorr, Miller, Roberts, Selby, H. L. Smith, W. S. Smith, Stokes, Thomas, Waterman, Verree, *President*.

19 voted for George Howell.

Common Council,

Messrs. Abbey, Bishop, Butcher, Boswell, Copeland, Cowell, Cresswell, Dennis, Dougherty, Eastwick, Grove, Hoffinan, Harper, Horn, Hacker, Hassinger, Lloyd, Martien, Norton, Pomeroy, Parham, Stallman, Watt, Wagner, Diehl, *President*.

25 voted for George Howell.

In all 44 votes.

Select Council,

Messrs. Bullock, Caldwell, Hague, Hinman, Hutchinson, Jones, N. L. Keyser, Kline, Pratt, Roberts, W. S. Smith, Thomas, Verree, *President*.

13 voted for William Neal.

Common Council,

Messrs. Binder, Copeland, Cresswell, Conrad, Eastwick, Hoffman, Harper, Hubbard, Lloyd, Larzalere, Moran, Martien, Matthews, Manuel, Newell, Pomeroy, Parham, Rhoads, Shuster, Verree, Watt, Diehl, *President*.

22 voted for William Neal.

In all 35 votes.

Select Council,

Messrs. Knorr, W. S. Smith, Waterman.

3 voted for R. Rundle Smith.

Common Council,

Messrs. Abbey, Bishop, Butcher, Gratz, Randall.

6 voted for R. Rundle Smith.

In all 9 votes.

Select Council,

Messrs. Bullock, Hague, Hinman, Hutchinson, Kline, Roberts, Thomas.

7 voted for William R. Thompson.

Common Council,

Messrs. Austin, Balch, Boswell, Copeland, Cresswell, Dougherty, Dubree, Eastwick, Grove, Gay, Griscom, Harper, Hassinger, Moran, Martien, Norton, Pomeroy, Randall, Roberts, Stuart, Shuster, Stallman, Watt.

23 voted for William R. Thompson.

In all 30 votes.

Select Council,

Messrs. Duffee, Miller, Sandgram, Selby, H. L. Smith, Stokes, Verree, *President*.

7 voted for J. H. Bringham.

Common Council,

Messrs. Address, Austin, Berry, Bumm, Binder, Cowell, Conrad, Crispin, Dunk, Davenport, Gibson, Giller, Gillingham, Green, Gratz, Graeff, Houseman, Horn, Hubbard, Hoppel, Hilles, Laws, Larzalere, Mercer, Matthews, Newell, O'Neill, Painter, Preston, Rhoads, Roberts, Verree, Wagner.

33 voted for John H. Bringham.

In all 40 votes.

Select Council,

Messrs. Cornman and Waterman voted for William Ayres.

Common Council,

Messrs. Bumm, Grove, Houseman, Hoffman, Shuster.

5 voted for A. J. Derbyshire.

Common Council,

Messrs. Gray, and Stuart, voted for Jacob B. Lancaster.

Common Council,

Mr. Hacker voted for John M. Ford.

The Clerk reported that 87 votes were cast, viz :

| | | | |
|----------------------|----|--------|----------|
| Peter Fritz received | 47 | votes. | Elected. |
| James Tennent, | “ | 47 | “ “ |
| George Howell, | “ | 44 | “ “ |
| William Neal, | “ | 35 | “ “ |
| W. R. Thompson, | “ | 30 | “ “ |
| R. Rundle Smith, | “ | 9 | “ “ |
| John H. Bringhurst, | 40 | “ | “ |
| William Ayres, | “ | 2 | “ “ |
| A. J. Derbyshire, | “ | 5 | “ “ |
| J. B. Lancaster, | “ | 2 | “ “ |
| John M. Ford, | “ | 1 | “ “ |

There being only two persons having received the majority of votes cast,

The Convention proceeded to second ballot.

Second Ballot for Directors of Pennsylvania Railroad.

Select Council,

Messrs. Bullock, Caldwell, Cornman, Duffec, Hague, Hinman, Hutchinson, Jones, N. L. Keyser, Kline, Miller, Pratt, Roberts, Selby, H. L. Smith, W. S. Smith, Stokes, Thomas, Waterman.

19 voted for George Howell.

Common Council,

Messrs. Address, Berry, Bishop, Balch, Butcher, Boswell, Copeland, Cowell, Cresswell, Conrad, Crispin, Davenport, Dubree, Eastwick, Gibson, Giller, Gray, Griscom, Gay, Gratz, Houseman, Hoffman, Horn, Hacker, Hubbard, Hasinger, Laws, Lloyd, Mercer, Moran, Martien, Norton, Newell, Pomeroy, Parham, Randall, Stuart, Watt, Wagner, Diehl, *President*.

40 voted for George Howell.

In all 59 votes. Elected.

Select Council,

Dr. Knorr voted for John H. Bringham.

Common Council,

Messrs. Andress, Bummi, Binder, Conrad, Davenport, Dougherty, Gillingham, Green, Graeff, Hoppel, Hilles, Larzalere, Manuel, O'Neill, Painter, Preston, Roberts, Stallman, Verree.

19 voted for John H. Bringham.

In all 20 votes.

Common Council,

Messrs. Matthews, Rhoads, Shuster.

3 voted for William Neal.

Common Council,

Mr. Grove voted for William R. Thompson.

The Clerk reported that 83 votes were cast, viz :

George Howell received 59 votes. Elected.

John H. Bringham, " 20 "

William Neal, " 3 "

Wm. R. Thompson, " 1 "

Mr. Hacker

Moved that the regular order of business be suspended, for the purpose of offering a resolution.

And on the motion being agreed to, offered the following :

Resolved, That the rule requiring this chamber to adjourn at seven o'clock be suspended on this occasion.

Mr. Crispin

Moved to amend, in the third line, by striking out the words "on this occasion," and insert in lieu thereof, "indefinitely."

Which was not agreed to.

The question recurring on the original resolution,

The yeas and nays were demanded by Messrs. Randall and Dougherty.

And being ordered were as follows :

YEAS—Messrs. Abbey, Andress, Berry, Bishop, Balch, Binder, Butcher, Crispin, Dunk, Davenport, Dubree, Eastwick, Gibson, Giller, Gillingham, Gay, Gratz, Houseman, Hoffman, Horn, Hacker, Hilles, Hassinger, Lloyd, Mercer, Martien, Matthews, Manuel, Norton, Newell, Pomeroy, Painter, Rhoads, Stuart, Shuster, Verree, Watt, Diehl, *President*.

NAYS—Messrs. Boswell, Copeland, Cresswell, Conrad, Denn's, Dougherty, Grove, Green, Graeff, Hubbard, Laws, Larzalere, O'Neill, Parham, Preston, Randall, Stallman, Wagner.

Yeas 38 ; nays 18.

Which was agreed to.

Mr. Balch

Moved that the regular order of business be further suspended for the purpose of going into the consideration of the resolution from Select Council providing accommodations for the Supreme Court.

Which was agreed to.

Select Council

Informs this Council that they had received the following report of the Committee on Law, and have passed the accompanying resolution :

To the Select and Common Councils of the City of Philadelphia :

The Committee on Law, to whom was referred the communication addressed to the Councils by the Members of the Bar, in relation to providing rooms for the Supreme Court, would respectfully report that they met a committee appointed by the members of the Bar, at their meeting, held November 22d last past, and after an interchange of views

on the subject, we concluded to offer the following resolution, and ask its adoption, as the measures embodied in it are such as give satisfaction to the gentlemen composing the Committee of the Members of the Bar. We therefore beg leave to offer the following resolution :

Resolved, That the rooms opposite the room now occupied by the *Nisi Prius* Court, and which are now used as offices for the District Attorney, and by the Grand Jury, be fitted up under the supervision of the Committee on Law, for the use of the Supreme Court in Banc.

J. L. HUTCHINSON,

Nov. 30th, 1854.

Chairman.

On motion

Council proceeded to the second reading and consideration of the resolution annexed to the report.

Mr. Laws

Moved that the further consideration of the subject be postponed and referred to the Committee on City Property, with instructions to report the cost of fitting up said rooms, at the next meeting of Councils.

And after some time spent in the discussion of the same,

Mr. Pomeroy

Moved the previous question, and was sustained in the call by the following members rising :

Messrs. Address, Butcher, Copeland, Gay, Gibson, Hilles, Hoffman, Hubbard, Pomeroy, Rhoads, Verree, and Watt.

The question being, shall the main question be now put, the Yeas and Nays were demanded by Messrs O'Neill and Cowell.

And being ordered were as follows :

YEAS—Abbey, Address, Berry, Balch, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Conrad, Crispin, Dunk, Dougherty, Dubree, Gibson, Giller, Gay, Green,

Gratz, Graeff, Houseman, Horn, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Laws, Larzalere, Mercer, Moran, Martien, Matthews, Newell, Pomeroy, Preston, Randall, Rhoads, Roberts, Shuster, Verree, Watt, Wagner, Diehl, *President*.

NAYS—Bumm, Hoffinan, Manuel, O'Neill, Painter.

Yeas 45 ; Nays 5.

Which was agreed to.

The main question being, to postpone and refer the subject to the Committee on City Property, with instructions to report the cost at the next meeting of Councils.

On this question the yeas and nays were demanded by Messrs. Laws and Painter,

And being ordered were as follows :

YEAS—Messrs. Address, Balch, Bumm, Binder, Cowell, Cresswell, Conrad, Dunk, Dubree, Giller, Gay, Green, Graeff, Horn, Hacker, Laws, Manuel, O'Neill, Painter, Preston, Rhoads.

NAYS—Messrs. Abbey, Berry, Butcher, Boswell, Copeland, Crispin, Dougherty, Gibson, Gratz, Hoffman, Hubbard, Hoppel, Hilles, Hassinger, Larzalere, Mercer, Martien, Matthews, Norton, Newell, Pomeroy, Randall, Roberts, Shuster, Verree, Watt, Wagner, Diehl, *President*.

Yeas 21 ; nays 28.

Which was not agreed to.

The question recurring on the resolution, the yeas and nays were demanded by Messrs. Painter and Laws.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Berry, Balch, Binder, Butcher, Boswell, Copeland, Cowell, Cresswell, Dougherty, Giller, Gratz, Hoffman, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Larzalere, Mercer, Martien, Norton, Newell, O'Neill, Pomeroy, Randall, Rhoads, Roberts, Stuart, Shuster, Verree, Watt, Wagner, Diehl, *President*.

NAYS—Messrs. Address, Bumm, Conrad, Crispin, Dunk, Dubree, Gibson, Gay, Green, Graeff, Horn, Laws, Matthews, Manuel, Painter, Preston.

Yeas 35 : nays 16.

Which was agreed to, and the resolution passed.

So Common Council concurred.

Mr. Gratz

Moved that the regular order of business be further suspended for the purpose of offering a resolution.

Mr. Hilles

Moved to amend, to consider the resolution from Select Council relative to the appointment of a person to collect the bills for gas in the late borough of Frankford.

Which was agreed to.

Mr. Gratz then offered the following resolution :

Resolved, That a committee of three from each Council be appointed to examine into the amount of stock held by the three persons elected this evening as Directors in the Pennsylvania Central Railroad Company, at the time the same were elected as directors thereof ; and if either or any of them are ineligible, in consequence of not being, at the time of their election, *bona fide* stockholders, as provided for in the act of incorporation of said company, then the said committee take measures to have a special meeting of Councils called for Saturday next, December 2d, to elect directors as the case may be.

Which was read twice and passed, and

Messrs. Gratz, Norton and Boswell were appointed on behalf of Common Council.

Select Council concurred and appointed Messrs. Knorr, Roberts and Hutchinson.

Message from Select Council informing this Council that they had passed the following resolution :

Resolved, That John C. Cresson, Esq., Chief Engineer of the Gas Department, be authorised to immediately appoint a suitable person to make out and collect the bills for gas (in the late Borough of Frankford, Twenty-third Ward,) for the quarter falling due, December 1st, 1854, and also in the Twenty-fourth Ward.

On motion,

Council proceeded to the second reading and consideration of the resolution.

Mr. Newell

Moved to amend the same by striking out the words "John C. Cresson, Esq., Chief Engineer of the Gas Department," and insert in lieu thereof "The Board of Trustees of the Gas Works."

Which was not agreed to.

The resolution was again read and passed.

So Common Council concurred.

Mr. Hacker,

From the Committee on Finance, presented the following report:

To the Select and Common Council:

The Finance Committee beg leave to represent, That on the 28th day of September last, an Ordinance was adopted making appropriations for certain purposes, payable on the 4th of December next; that the said appropriation was made with the reasonable expectation that the receipts from taxes would be large, which, owing to the stringent condition of the money market, has not been realized, rendering it necessary, in the opinion of the committee, that some of the items covered by said appropriation should be postponed for a short period. The committee, therefore, offer the annexed Ordinance, and respectfully ask its adoption.

W. P. HACKER,

Phila., Nov. 3d, 1854.

Chairman.

"A Supplement to an Ordinance, approved Sept. 28th, 1854, entitled 'An Ordinance to make an appropriation to pay certain claims against the Corporation.'"

On motion,

Council proceeded to the second reading and consideration of the bill annexed to the report.

The first section was agreed to.

The second section was agreed to.

The title was agreed to.

And the bill ordered to be prepared for a third reading.

It was then, by special order, read a third time and passed.

Select Council concurred.

Also, the following :

To the Select and Common Councils:

The Committee on Finance beg leave to offer the accompanying resolution and ordinance entitled "An Ordinance to provide for the issue of certificates of debt in payment of certain obligations.

WM. P. HACKER,
Chairman.

Committee Room, Nov. 30, 1854.

Resolved, That the Clerk be authorised and required to publish in two daily newspapers of this City, daily for four weeks, the ordinance presented to the Common Council on this thirtieth day of November, 1854, being a stated day for the meeting of Councils, entitled "An Ordinance to provide for the issue of certificates of debt, in payment of certain obligations." And the said clerk, at the stated meeting of Councils next after the expiration of four weeks from the first day of said publication, shall present to this Council, one of each of the said newspapers for every day in which the same shall have been made.

"An Ordinance to provide for the issue of certificates of debt, in payment of certain obligations."

On motion

Council proceeded to the second reading and consideration of the resolution annexed to the report.

Mr. Randall

Moved that the further consideration of the subject be postponed.

And after some time spent in the discussion of the same,
Mr. Norton

Rose to a point of order, which being stated was, "That the merits of this Ordinance cannot be discussed before the publication of the draft thereof, and until the same shall be under consideration."

The Chair decided that it could.

The question being on the motion to postpone, the yeas and nays were demanded by Messrs. Randall and Dennis.

And being ordered, were as follows :

YEAS—Messrs. Abbey, Bumm, Crispin, Dougherty, Gay, Green, Hoppel, Hassinger, Laws, Larzalere, Mercer, Matthews, Pomeroy, Randall, Roberts, Stuart, Verree, Wagner.

NAYS—Messrs. Berry, Bishop, Balch, Binder, Cope-land, Cowell, Cresswell, Conrad, Dunk, Dennis, Dubree, Eastwick, Gibson, Giller, Gillingham, Gratz, Hoffman, Hacker, Hubbard, Lloyd, Moran, Martien, Manuel, Norton, Newell, Parham, Painter, Shuster, Diehl, *President*.

Yeas 18 ; nays 29.

Which was not agreed to.

The resolution was again read and passed.

Also, the following :

Philada. Nov. 1, 1854.

The Committee on Finance report the following resolution and ordinance to authorise a loan to pay the second installment on the subscription to the North Western Railroad Company. And ask its adoption.

W. P. HACKER,
Chairman.

Resolved, That the clerk be authorised and directed to publish in two daily newspapers of this City, daily for four weeks the Ordinance presented to Common Council on this thirtieth day of November, 1854, being a stated day for the meeting of Councils, entitled "An Ordinance to authorise a

loan to pay the second installment on the subscription to the capital stock of the North Western Railroad Company," and the said clerk at the stated meeting of Councils next, after the expiration of four weeks from the first day of said publication, shall present to this Council one of each of the said newspapers for every day in which the same shall have been made.

"An Ordinance to authorize a loan to pay the second installment on the subscription to the capital stock of the North Western Railroad Company."

On motion

Council proceed to the second reading and consideration of the resolution annexed to the report.

Mr. Dougherty

Moved that the further consideration be postponed for the present.

Which was not agreed to.

The question recurring on the resolution,

The yeas and nays were demanded by Messrs. Crispin and Dougherty,

And being ordered were as follows:

YEAS—Messrs. Abbey, Address, Balch, Binder, Cowell, Dennis, Eastwick, Giller, Gillingham, Gratz, Hacker, Hubbard, Hoppel, Lloyd, Moran, Martien, Matthews, Manuel, Norton, Newell, Stuart, Shuster, Wagner, Diehl, *President*.

NAYS—Messrs. Bishop, Crispin, Dougherty, Gay, Green, Horn, Hassinger, Laws, O'Neill, Randall, Verree.

Yeas 24; nays 11.

Which was agreed to.

Mr. Balch

Moved that the regular order of business be suspended, and on the motion being agreed to, presented a report from the Joint Special Committee to whom was referred a resolution to inquire into the organization of the Fire Department of Boston and New York.

The reading was dispensed with and the report ordered to be printed for the use of members.

Mr. Hacker

From the Committee on Finance presented the following:

To the Select and Common Council:

The Committee on Finance, to whom was referred the securities of William D. Newell, Commissioner of Market Houses, have had them examined by the Solicitor, who reports satisfactory, beg leave to offer the following resolution:

Resolved, That the Select and Common Councils approve of Isaac D. Knight, Stewart Newell, Peter Sexton, and Thomas B. Willoughby, as securities of Wm. D. Newell, Commissioner of Market Houses.

WM. P. HACKER,
Chairman.

Committee Room, Nov. 30th, 1854.

On motion,

Council proceeded to the second reading and consideration of the resolution annexed to the report.

Which was agreed to.

Also,

Presented several bills for gas, which had been referred to the Committee on Finance, and asked their reference to the Committee on Gas.

Which was granted.

The following message was received from the Mayor:

MAYOR'S OFFICE,
Phila. Nov. 30th, 1854. }

To the Common Council of the City of Philadelphia:

GENTLEMEN:—I have approved and signed the following Ordinances and Resolution:

An Ordinance entitled "An Ordinance to make an appropriation for police and other purposes therein mentioned."

An Ordinance entitled "An Ordinance to make an appropriation for the purpose of paying the expense of paving Delaware Avenue, between Market and Arch Streets, with cubical blocks."

A Resolution entitled "A Resolution relative to furnishing bills of taxes."

R. T. CONRAD,
Mayor.

Which was read and laid on the table.

Mr. Hoppel

Moved that Council do now adjourn.

Which was not agreed to.

Mr. Randall

Moved to suspend the rules for the purpose of proceeding to the consideration of the resolution from Select Council, relative to releasing property of Lane Schofield.

Which was agreed to.

Select Council

Informs this Council that they have concurred in the resolution releasing certain property of Lane Schofield, with an amendment, by fixing a title, as follows :

"Resolution relative to releasing certain property to Lane Schofield."

Common Council concurred in the amendment.

Mr. Eastwick

Moved a call of the House,

When the following members answered to their names.

Messrs. Abbey, Andress, Bishop, Balch, Binder, Cowell, Cresswell, Crispin, Dougherty, Dubree, Eastwick, Giller, Gillingham, Gay, Green, Gratz, Horn, Hacker, Hubbard, Hoppel, Hassinger, Laws, Lloyd, Moran, Martien, Matthews,

Manuel, Norton, Newell, O'Neill, Pomeroy, Randall, Stuart, Shuster, Verree, Wagner, Diehl, *President*.

There not being a quorum present, the President ordered the doors closed, and directed the Sergeant-at-Arms to bring in some of the members.

Who returned with Mr. Dennis.

He making a quorum, the doors were then opened.

And Council proceeded with business.

Mr. Dennis

Chairman of the Committee on Gas, offered a Report and Ordinance.

Which was read, and

There not being a quorum present,

Mr. Dennis

Moved that we do now adjourn.

On this question the yeas and nays were demanded by Messrs. Eastwick and Martien.

And being ordered, were as follows :

YEAS—Messrs. Andress, Berry, Binder, Cowell, Crispin, Dunk, Dennis, Dougherty, Gay, Green, Hassinger, Moran, Randall, Stuart, Shuster, Wagner, Diehl, *President*.

NAYS—Messrs. Dubree, Eastwick, Gibson, Giller, Gillingham, Gratz, Horn, Hacker, Laws, Lloyd, Mercer, Martien, Matthews, Manuel, Norton, Newell, Pomeroy.

Yeas 17 ; nays 17.

Which was not agreed to.

And, after a short time,

Mr. Randall

Moved to adjourn.

On this question the yeas and nays were demanded by Messrs. Randall and Dennis.

And being ordered, were as follows :

YEAS—Messrs. Andress, Berry, Cowell, Dunk, Dennis, Dougherty, Dubree, Gibson, Gillingham, Gay, Green, Moran, Martien, Matthews, Randall, Stuart, Shuster, Wagner, Diehl, *President*.

NAYS—Messrs. Binder, Crispin, Eastwick, Giller, Gratz, Horn, Hacker, Hassinger, Laws, Lloyd, Mercer, Manuel, Norton, Newell, Pomeroy.

Yeas 19 ; nays 15.

Which was agreed to, and

Council adjourned.

SATURDAY, December 2d, 1854.

Council met—Present,

Messrs. Abbey,
 Andress,
 Austin,
 Berry,
 Bishop,
 Binder,
 Butcher,
 Copeland,
 Conrad,
 Davenport,
 Dougherty,
 Eastwick,
 Gibson,
 Giller,
 Grove,
 Griscom,
 Gratz,
 Houseman,
 Hoffman,
 Hacker,
 Hubbard,

Messrs. Hoppel,
 Hilles,
 Hassinger,
 Laws,
 Larzalere,
 Moran,
 Martien,
 Matthews,
 Manuel,
 Norton,
 Newell,
 Powell,
 Parham,
 Read,
 Randall,
 Rhoads,
 Stuart,
 Scheetz,
 Wagner,
 Diehl, *President*.

The Chairman

Laid before Council the following :

OFFICE PENNA. RR. Co., }
Phila., Dec. 1, 1854. }

John H. Diehl, Esq., President Common Council:

SIR:—You are requested to call a special meeting of

Common Council for to-morrow, December 2d, 1854, at four o'clock, P. M., to hear the report of the committee appointed in relation to the election of Directors of the Pennsylvania Railroad Company, and to take action thereon, and for other purposes.

EDW. GRATZ,
GEO. NORTON,
JAS. J. BOSWELL.

Select Council

Informs this Council that they have passed the following resolution:

Resolved, That the Committee on City Property be requested to report upon the proper appropriation and arrangement of the apartments in the City Hall, for the various heads of departments.

On motion,

Council proceeded to the second reading and consideration of the resolution.

Which was agreed to.

So Common Council concurred.

Also, the following:

Resolved, That the Committee on Law be directed to prepare and submit to Councils a revised Code of the Ordinances, and Acts of Assembly, of the City of Philadelphia.

Which was read twice and passed.

So Common Council concurred.

The following message was received from the Mayor.

MAYOR'S OFFICE, }
Phila., Dec. 2d, 1854. }

To the Common Council:

GENTLEMEN:—I have approved and signed the following Ordinances:

“An Ordinance to make an appropriation to the Superintendent of Trusts.”

“ A Supplement to an Ordinance, approved September 28th, 1854, entitled ‘ An Ordinance to make an appropriation to pay certain claims against the Corporation.’ ”

R. T. CONRAD,
Mayor.

Which was read and laid on the table.

Select Council

Informs this Council that they have passed the following resolution :

Resolved, That the attention of the Finance Committee be directed to the claims now due, and those becoming due, to the several Districts forming the Consolidated City, and that said Committee be authorized to adopt such measures as they may deem proper, in order that the bills for the same may be made out and handed to the proper officer for collection.

On motion,

Common Council proceeded to the second reading and consideration of the resolution.

Which was agreed to.

So Common Council concurred.

Also, the following :

Resolved, That the Commissioner of City Property be directed to take charge of the moveable property of the several districts, including the old City, now composing the Consolidated City, and dispose of the same, either by sale or otherwise, under the supervision of the Committee on City Property, as they may deem most conducive to the public interest.

Which was read twice and passed.

So Common Council concurred.

Also,

A Bill, entitled “ A Supplement to an Ordinance approved September 7th, 1854, entitled ‘ An Ordinance to make an appropriation for the use of the Inspectors of the Prison.’ ”

On motion,

Council proceeded to the second reading and consideration of the bill.

The first and only section was agreed to.

The title was agreed to,

And the bill ordered to be prepared for a third reading.

It was then by special order read a third time and passed.

So Common Council concurred.

Also, the following resolution:

Resolved, That the Committee on the Girard Estates, be and they are hereby requested to rent the northern half of the building known as the Girard Banking House, at the sum of three thousand dollars per annum, the said half of the building to be occupied by the City Treasurer and City Controller.

On motion,

Council proceeded to the second reading and consideration of the resolution.

Mr. Newell

Moved to amend the same by striking out the words "three thousand," and insert in lieu thereof "two thousand."

Which was not agreed to.

The resolution was then agreed to.

So Common Council concurred.

Also,

A report from the Committee on Water Works, relative to the water rents of the Public Schools and others, for the year 1854, accompanied by two resolutions.

On motion,

Council proceeded to the second reading and consideration of the first resolution,

When the same was agreed to.

The second resolution was read.

Mr. Newell

Moved a re-consideration of the vote by which the first resolution was agreed to.

And, on the motion being agreed to,

Mr. Martien

Moved that the report be returned to Select Council, it not having been signed by a majority of the committee.

Which was agreed to.

Select Council

Informs this Council that they have had under consideration the resolution authorizing the Board of Trustees of the West Philadelphia Gas Works to hand over to John C. Cresson, Esq., Chief Engineer of the Gas Works, all their effects, and have passed the same with the following amendments :

By striking out, in the third line, the words " John C. Cresson, Esq., Chief Engineer of the Gas Works," and insert "The Trustees of the Philadelphia Gas Works."

Also,

In the fifth line, by striking out " John C. Cresson," and inserting " Trustees."

Also,

To add at the end thereof: " And that the transfer be accompanied by a statement of the affairs of the said West Philadelphia Gas Works, from the last published report to the present time, and submit the same to Councils for information.

Common Council concurred in the amendments.

Also,

Informs this Council that they have passed a bill entitled " An Ordinance to define the duties of the Committee on the Department of Prisons."

On motion,

Council proceeded to the second reading and consideration of the bill.

The first section being under consideration,

Mr. Moran

Moved that the further reading and consideration of the bill be postponed for the present.

On this question the yeas and nays were demanded by Messrs. Martien and Giller.

And being ordered were as follows :

YEAS—Messrs. Abbey, Andress, Bishop, Butcher, Copeland, Eastwick, Grove, Griscom, Hoffman, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Moran, Martien, Norton, Randall, Stuart, Wagner, Diehl, *President*.

NAYS—Messrs. Austin, Berry, Binder, Conrad, Davenport, Dougherty, Gibson, Giller, Gratz, Houseman, Larzallere, Matthews, Manuel, Powell, Parham, Read, Rhoads, Scheetz.

Yeas 21 ; nays 18.

Which was agreed to.

Also,

Informed that they had received the following report :

The committee on City Property, to whom was referred the subject of negotiating for certain property situated north and south of the Lemon Hill estate, beg leave to report, that as yet they have been unable to agree upon terms for the purchase of the property situated south of Lemon Hill. Negotiations are, however, still pending which they trust will result in a satisfactory arrangement.

The property situated north of the Lemon Hill estate, known as Sedgely, and containing about thirty acres, your committee recommend Councils to purchase, and ask the

adoption of the annexed resolutions, which sets forth the terms and conditions.

D. B. HINMAN,
Chairman.

Committee Room, Nov. 1, 1854.

Resolved, That the Commissioner of City Property be authorised and directed for, and in the name of the corporation of the City of Philadelphia, to lease from the owners thereof, the property situated on the river Schuylkill next north of Lemon Hill, known as the Sedgely Estate, for the term of five years, at the annual rent of one hundred dollars, and the amount of taxes assessed thereon; and also on the same behalf to enter into a covenant with the said owners to purchase the said estate, at the termination of the said lease, for the sum of one hundred and fifty thousand dollars, the said covenant to be mutually binding, and to contain a stipulation upon the part of the said owners that a good and sufficient title shall be made to the said premises.

Which was twice read and laid on the table.

Mr. Bishop offered the following resolution:

Resolved, That the clerk of Council be requested to hand the Mayor the ordinance to organize the department of Wharves and Landings, for his consideration.

Which was read twice and passed.

Select Council

Informs this Council that they have had under consideration the resolution relative to the Committee on Highways, reporting an Ordinance to provide for building a culvert over Cohocksink Creek, in the Sixteenth and Seventeenth Wards.

And have concurred in the same, with an amendment viz:

“Add to the end thereof the words, ‘with plan and estimates.’”

Common Council concurred in the amendment.

Also,

Informed that they have concurred in the amendments

to the bill entitled "An Ordinance relating to the Clerks and Messengers of Councils," except the amendment in the Fourteenth section, "to strike out \$1200 as the salary of the principal Clerk of Common Council, and insert \$1500."

In which they non-concurred.

Mr. Martien

Moved that Common Council do insist on their amendment, and on the motion being agreed to,

Moved that a Committee of conference be appointed.

Which was agreed to.

And Messrs. Martien, Hacker and Berry, were appointed on behalf of Common Council.

Also,

Informed that they have had under consideration the resolution relative to the removal of the Railroad sidelings on Market Street, between Eleventh and Twelfth Streets,

And have passed the same with an amendment, placing thereon a title, to wit:

"Resolution relative to removing the sideling of the south side of the Railroad on Market Street, between 11th and 12th Streets.

Common Council concurred in the amendment.

Mr. Dougherty

Moved that the Clerk call the roll.

Which was agreed to, and

The following members answered to their names:

Messrs. Abbey, Andress, Berry, Bishop, Binder, Butcher, Copeland, Conrad, Davenport, Dougherty, Eastwick, Gibson, Giller, Grove, Griscom, Gratz, Houseman, Hoffman, Hacker, Hubbard, Hoppel, Hilles, Hassinger, Larzalere, Moran, Martien, Matthews, Manuel, Norton,

Newell, Powell, Read, Randall, Rhoads, Stuart, Wagner,
Dichl, *President*.

There being less than a quorum present,

Mr. Martien

Moved that Council do now adjourn.

Which was agreed to.

Adjourned.

APPENDIX TO THE JOURNAL
OF
COMMON COUNCIL
OF THE
CONSOLIDATED CITY OF PHILADELPHIA,

BEGINNING JUNE 12, AND ENDING DECEMBER 2, 1854.

PHILADELPHIA:
W. H. SICKELS, PRINTER, No. 102 CHESTNUT STREET.
1854.

APPENDIX

TO THE

JOURNAL OF COMMON COUNCIL.

APPENDIX No. 1.

To the Honorable the Common Council of the City of Philadelphia.

The petition and complaint of the subscribers, citizens and qualified voters of the Fourth Ward of the City of Philadelphia, respectfully represent:—That at the election for municipal ward officers, held on Tuesday, the sixth day of June, instant, Mr. Edmund Weatherby was duly elected a member of the Common Council for Fourth Ward, as will appear by the original returns of the Judges of the several divisions or precincts of said ward, filed in the office of the Prothonotary of the Court of Common Pleas of the County of Philadelphia, a copy of the certificate of which, under the Seal of said Court, is hereto annexed; which certificate, as well as said original returns, your petitioners pray may be taken and considered as part of this their complaint.

By the said returns, it appears that there were voted, in the several election divisions of the said Fourth Ward, for the several candidates for the office of member of Common Council, the number of ballots or votes following, viz:

For William M. Powell, 1033 votes.

For John U. Giller, 1017 votes.

For Edmund Weatherby, 1010 votes.

For Michael J. Dougherty, 1009 votes.

For John J. Meany, 1005 votes, and

For Thomas Taylor, 997 votes.

The said Edmund Weatherby being, therefore, one of the three candidates receiving the highest number of votes, was duly elected a member of your honorable body, and according

to law was fully entitled to, and ought of right to have received, from the proper officers appointed for that purpose, a certificate of his election as aforesaid.

Yet, notwithstanding the facts above stated, all of which your petitioners are ready to verify, the Return Judges of said Ward made out and delivered to the said Michael J. Dougherty, a certificate of his election to said office, and the said Michael J. Dougherty unlawfully claims to hold and exercise the functions and duties of the same.

Your petitioners therefore, respectfully, but earnestly and solemnly, protest against the admission of the said Michael J. Dougherty to a seat in your honorable body; and pray that you will be pleased to take such measures as may, in your judgment, be advisable for the proper investigation of the facts as above stated, and the rightful determination of the respective claims of the said Weatherby and Dougherty to the said office.

And your petitioners will ever pray, &c.

Manuel N. Phillips,
 Chas. S. Close,
 Isaac B. Smith,
 Sam'l Kilpatrick,
 George P. Mercer,
 Wm. Y. Campbell,
 Caspar M. Jones,
 Matthew W. Parkins,
 R. A. Spiengle,
 James R. Wigley,
 Thos. R. Irvin,
 John Handlen,
 W. G. Flanagan,
 Asa Copeland,
 James Wise,
 Andrew Gilmore.

June 10th, 1854.

Manuel M. Phillips, Charles S. Close, Caspar M. Jones, and Wm. Y. Campbell, four of the above named petitioners, being duly sworn or affirmed, do depose and say that the facts set forth in the above petition are true.

Sworn and affirmed to before me, this 10th day of June,
Anno Domini, 1854.

JOS. SIHERMER,

Alderman.

I, John M. Coleman, Treasurer of the County of Philadelphia, do certify that the within named petitioners are voters of the Fourth Ward of the City of Philadelphia.

Given under my hand, this Twelfth day of June, A. D. 1854.

JOHN M. COLEMAN,

Treasurer.

Precincts.

| Select. | 1st. | 2d. | 3d. | 4th. | 5th. | 6th. | 7th. | 8th. | 9th. | 10th. |
|---------------|------|-----|-----|------|------|------|------|------|------|-------|
| Marsellas, | 69 | 70 | 93 | 138 | 94 | 145 | 188 | 157 | 65 | 41 |
| Kilpatrick, | 80 | 146 | 128 | 65 | 62 | 53 | 40 | 129 | 130 | 138 |
| Com. Council. | | | | | | | | | | |
| Powell, | 66 | 66 | 86 | 135 | 87 | 145 | 187 | 152 | 67 | 42 |
| Dougherty, | 64 | 65 | 77 | 131 | 87 | 142 | 187 | 148 | 66 | 42 |
| Meaney, | 64 | 63 | 77 | 131 | 87 | 140 | 181 | 148 | 71 | 43 |
| Weatherby, | 85 | 148 | 134 | 66 | 66 | 53 | 41 | 146 | 132 | 139 |
| Giller, | 87 | 150 | 136 | 66 | 66 | 55 | 42 | 148 | 129 | 138 |
| Taylor, | 87 | 149 | 132 | 67 | 65 | 53 | 40 | 137 | 129 | 138 |

I certify the above to be a true copy of the original return of Select and Common Council of the Fourth Ward, Philadelphia City, as filed in the office by the Return Judges of various divisions in said Ward.

Witness my hand and seal of office, June 10th, 1854.

[L. s.]

E. W. DAVID,

Prothonotary.

APPENDIX No. 2.

To the President of the Common Council.

Whereas, The necessary measures have been adopted to place the two large Rooms in the State House, now occupied by the United States Courts and Marshal's office,

within the control of the new City administration for *Council Chambers*, and believing we but express the general gratification it would afford this community that such selection should be made for that purpose—Therefore,

Resolved, That the Presidents of Select and Common Councils be *requested* to officially inform the respective Presidents of the new Councils, on their new organization, of such an arrangement having been made, and that no effort will be spared to make such selection acceptable and agreeable should they think proper to adopt the same.

I do hereby certify that the above Preamble and Resolution were passed by Select and Common Councils on June 8th, 1854.

EDMUND WILCOX,
Clerk of Select Council.

Referred to the Committee.

APPENDIX No. 3.

To the Select and Common Councils of the City of Philadelphia.

GENTLEMEN—

By the seventh section of the amended Charter of the City, it is made my duty, at least once in each year, and oftener, if deemed expedient, to recommend the adoption of measures for the security, health, cleanliness, improvement and welfare of the City. Under a deep sense of the important trust thus placed in my hands, I earnestly, but with diffidence, address myself to the discharge of it, by inviting your prompt attention to several matters which bear upon the enumerated objects with great force. Although the classification is brief, it is comprehensive enough to cover the whole ground of legislation, and the peculiar circumstances under which the enlarged organization now stands, call for the immediate application of all the powers conferred by law. While the power of all the late municipal bodies, with the exception of those of the original City, are immediately, or at all events upon proclamation, to cease absolutely, there is such an engraftment of new powers and

new duties conferred upon the original City, as with the authority previously possessed by it, to cover, completely, all that may be sought by the most zealous or the most conservative. For the proper and faithful exercise of these granted powers, it is essential that they be fully and entirely assumed at the earliest moment. I, therefore, respectfully advise, that the proclamation contemplated by the sixth section of the Act be forthwith ordered, and that it take effect on the thirtieth instant.

I am of the opinion that such day will not conflict with the time designated in the law, because the limitation therein merely expresses the latest and not the earliest day for the issue of the proclamation; and there are grave and weighty reasons for so considering our duty and action. First among these, is the duty of effectually supporting the public credit by the punctual payment of the interest on the public debt, which will fall due on the first day of July next. An opinion has, to some extent, been promulgated and received, that the several corporations to be superseded or merged, have no power nor authority now to pay any money, or to provide for the regular prosecution of the public business. While I believe that such is not the case, it is neither wise nor just to leave the matter in doubt—and all doubt will be dispelled the moment the proclamation fixes the termination of the corporations designated as contemplated by the amended Charter.

Growing out of the assumption of our proper powers, legislation will, at an early day, be needed, to determine the several departments which the public service will require, and to provide for their organization, powers and duties. The great departments are enumerated in the fifteenth section of the law, and until they can be regularly established by ordinance, it is important to inquire and ascertain whether any existing organizations are to be found under the City government that will meet the public wants until a complete system can be framed.

I am much relieved from any apprehension upon these points, by the results of my investigation of the course of business in the City government. The ordinances for the auditing and controlling the expenditures of the City have

been in force for a period of nearly twenty years, and they sub-divide the public service into almost the same number of departments as we are required to establish.

These ordinances give to the Mayor and to appropriate standing committees, a complete supervision of the minutest branches of service; and each department possesses an executive head who, with the present assistants, or such additions as may hereafter be authorized, can fully perform all needful functions, until more comprehensive laws can be framed and passed. Independently of the divisions or departments thus provided for, those of the health, the poor and the schools, will assume, almost immediately, all the powers needed for vigorous and useful life. The task, therefore, of setting the new order of affairs into being and action is not difficult, and the pathway is marked with sufficient plainness to enable us to advance without any fear of error or failure. Permit me, therefore, to recommend the appointment, by your bodies, of Standing Committees on the subjects of Finance, Police, Water, Gas, Highways, City Property and Trusts.

In order to make them properly supervisory, I respectfully suggest that they should be joint committees; and the respective chairmen might, as they have heretofore been, be designated from each Council. Chief executive officers will be found in each, who will carry out the laws and ordinances now in force, and with these similar or like officers from the organizations of the late Districts can be associated, in order to enforce peculiar local regulations where they may at present differ from those of the City. By thus concentrating that which exists even under a somewhat imperfect frame, the elements for a more perfect system will be obtained, and the requisite legislation be more easy of enactment.

It will be perceived that I do not recommend the superseding of any executive officer now in the discharge of duty. When those of the same or of a cognate character from the City and late Districts are brought together under the supervision of the proper Standing Committee, it will not be difficult for the committees to determine which among such officers shall be chief and which subordinate, and appointments may follow promptly.

Possessing, then, the elements of a system that will, at present, serve our purposes, I recommend that resolutions be adopted, calling upon all the Treasurers for statements showing the amount of cash they have on hand on the twentieth instant, and the amount due and payable on demand on that day to the respective corporations which they represent; also, the amount due and payable on demand by said corporations on said day, and the amount which will become due and payable for interest on the loans of said corporations on the first day of July next.

Such accounts will be indispensable for a faithful and punctual fulfilment of our obligations to the public creditors, and will enable you to provide for the meeting of any such claims as may not be covered by existing means or authorized credits, by loans of a temporary character, and by a rigid enforcement of the collection of unpaid taxes and other debts.

The proper support of the public credit will, in addition to the above, require the immediate assessment and collection of the taxes. This is a work that cannot be begun too soon; and it is respectfully suggested that the total amount to be thus raised should not be greater than that assessed for the year 1853. No difficulty, I conceive, need immediately grow out of the discrimination which is to be made between the rural and built portions of the City, as the tax lists of the late Districts bordering on our rural territory or running into it, will define with sufficient accuracy the dividing lines of taxation. The belief is a general one, that our taxation is quite high; every effort ought, therefore, to be made to reduce it—but that reduction must be the work of time and deliberation—and, in the meanwhile, duty requires the adoption of some speedy measures to replenish the public treasury.

R. T. CONRAD,
Mayor.

Philadelphia, June 13th, 1854.

APPENDIX No. 4.

PHILADELPHIA, June 15, 1854.

To the President of the Common Council.

SIR:

I herewith offer my resignation of Directorship in the Girard College for Orphans.

Respectfully yours,

ALGN. S. ROBERTS.

Laid on the table.

APPENDIX No. 5.

19TH WARD CONTESTED ELECTION, }
June 15, 1854. }

The Committee duly appointed by Councils, consisting of Messrs. Laws, Butcher, Harper, Graeff, Conrad, Gibson, Binder, Hilles, Pomeroy and Hacker, Chairman, met agreeably to law this day at 1 o'clock, P. M., parties being all present. The complaint was duly read by Mr. Mann, Attorney for Contestants, who, after reading, requested that the Contestants should be allowed the privilege of withdrawing their complaint, on account of its informality, in order to enable them to present a new petition embodying the whole ground of complaint in full. Your Committee therefore respectfully suggest that the request of Contestants be granted, and that your Committee be discharged from the further consideration of this subject.

W. P. HACKER, *Chairman.*GEO. W. POMEROY, *Sec.*

Nathan Hilles,

Peter F. Laws,

Chas. E. Graeff,

Wm. Conrad,

T. T. Butcher,

Alex. Harper,

James M. Gibson,

Geo. A. Binder.

APPENDIX No. 6.

An Ordinance establishing the Seal of the City of Philadelphia.

Be it ordained by the Select and Common Councils of the City of Philadelphia,

That the design hereto annexed be the device of the City Seal.

[L. S.]

Passed, June 15, 1854.

APPENDIX No. 7.

The Committee on a Plan for Organizing Committees of Councils beg leave to

Report,

That in compliance with a resolution of Councils, they have obtained from the City Solicitor his opinion respecting the duties of the present and late Corporations, which they beg leave to transmit, accompanied by a preamble and resolution.

D. B. Hinman, *Chairman.*
 P. A. Keyser,
 Algernon S. Roberts,
 W. O. Kline,
 Henry C. Pratt,
 William F. Smith,
 John S. Painter,
 William H. Dennis,
 R. M. Berry,
 George Griscom.

Philadelphia, June 13, 1854.

CITY SOLICITOR'S OFFICE, }
 June 13th, 1854. }

I have considered the question embraced in the Resolution, certified as having been passed by Councils on the 12th of June, 1854, "as to the duties of the present and late Corporations, until the permanent organization of the new Councils."

Assuming that the organization of Councils has taken place in the mode designated by the Fifth Section of the "Further Supplement to an Act, entitled an Act to Incorporate the City of Philadelphia, passed January 31st, 1854," by the oath of office and the election of officers, I am of the opinion that the City of Philadelphia, as established by the act above referred to, *at once supersedes the several Corporations heretofore existing.*

The present Corporation, by the express terms of the Sixth Section of the Act, is vested with *all* the power, rights, privileges and immunities incident to a Municipal Corporation, and necessary for the proper government of the same; and *those* of the present Corporation, of the Mayor, Aldermen and Citizens of Philadelphia.

The duties of the present Corporation, are those which are incident to all Municipal Corporations, and such as are necessary for their government. The Corporations which are consolidated into the Corporation of the City of Philadelphia, having ceased to have municipal power upon the organization of Councils under the Fifth Section of the law, I am of the opinion that their duties will be confined simply to such acts, as may be necessary to close the business of the several Corporations.

ISAAC HAZLEHURST.

APPENDIX No. 9.

HEALTH OFFICE, PHILADELPHIA, }
 June 22, 1854. }

*To the President and Members of the Select and Common
 Councils of the City of Philadelphia.*

GENTLEMEN:

At a meeting of the Board of Health, held June 19th, 1854, the following preamble and Resolutions were adopted:

Whereas, the appearance of Cholera Asphyxia in neighboring cities, admonishes us of the necessity of adopting prompt measures for the prevention and removal of all causes which experience has fully proved are necessary to, or which favor the production and spread of epidemic or pestilential diseases, therefore,

Resolved, That the immediate attention of Councils be directed to a more thorough and frequent cleansing of the Streets, Courts and Alleys; that we recommend the public Market Places to be cleansed daily, and that the present condition of the Wharves and Docks, which, in the estimation of this Board, are fruitful sources of filth and disease, receive their prompt attention.

Resolved, That we recommend said Councils to make free and frequent use of Chloride of Lime for the inlets to the sewers, as well as to the gutters in their immediate vicinity, and in other foul public places. Also, to allow the plugs to be opened at certain hours each day during the season, for the purpose of facilitating the more speedy removal of decomposing animal and vegetable accumulations.

Resolved, That the Clerk furnish copies of the above preamble and resolutions to both Councils.

Extract from the Minutes.

SAMUEL P. MARKS, }
 Clerk.

APPENDIX No. 10.

The Committee to whom was referred the petition of Edmund Weatherby, wherein he claims this seat held by M. J. Dougherty, as a member of Common Council for 4th Ward, Respectfully report,

That upon their appointment they immediately proceeded to the discharge of the duties imposed upon them, and that they found filed in the office of the Court of Common Pleas two returns of the recent election of Councilmen in the 4th Ward.

The *first* of which being a general return of all the votes in the aggregate, showing as follows, that

Edmund Weatherby had received 997,

And that

M. J. Dougherty had received 1009.

This return appeared to be signed by eight out of the ten Judges of the election in the said Ward.

The *second* return was more in detail, giving the vote of each precinct as follows:

That Edmund Weatherby, had received in the

| 1st p't. | 2nd. | 3d. | 4th. | 5th. | 6th. | 7th. | 8th. | 9th | 10th | Tot'l. |
|----------|------|-----|------|------|------|------|------|-----|------|--------|
| 85 | 148 | 134 | 66 | 66 | 53 | 41 | 146 | 132 | 139 | 1010 |

And that M. J. Dougherty had received in the

| 1st p't. | 2nd. | 3d. | 4th. | 5th. | 6th. | 7th. | 8th. | 9th. | 10th. | Tot'l. |
|----------|------|-----|------|------|------|------|------|------|-------|--------|
| 64 | 65 | 77 | 131 | 87 | 140 | 187 | 148 | 66 | 42 | 1009 |

In this return the Judges of the 1st, 3d, and 9th precincts, had omitted to sign the returns of their respective precincts.

In this position of the case, with two returns filed in the Court of Common Pleas, the first electing Mr. Dougherty by *twelve votes*, the second electing Mr. Weatherby by *one vote*, the committee deemed it right and proper to have a re-count of the votes of the whole Ward, so far as they affect

the rights of the contestants, and in this determination they were fully confirmed by the opinion of the City Solicitor, and it may be well here to say that the contestants each gave their assent and expressed themselves willing to abide the result of the said count.

The Committee then, through the Solicitor, made application to the Court of Common Pleas to procure the ballot boxes, and the Court having granted the request of the committee, gave the necessary order upon the Sheriff; after some delay the Sheriff produced them, and they were opened and counted by a sub-committee, both the contestants being present during the re-count, which resulted as follows:

Edmund Weatherby received in the

| 1st p't. | 2nd. | 3d. | 4th. | 5th | 6th. | 7th. | 8th. | 9th. | 10th. | Tot'l. |
|----------|------|-----|------|-----|------|------|------|------|-------|--------|
| 85 | 148 | 135 | 66 | 65 | 53 | 41 | 146 | 132 | 139 | 1010 |

M. J. Dougherty had received in the

| 1st p't. | 2nd. | 3d. | 4th. | 5th. | 6th. | 7th. | 8th. | 9th. | 10th. | Tot'l. |
|----------|------|-----|------|------|------|------|------|------|-------|--------|
| 64 | 64 | 79 | 132 | 87 | 142 | 187 | 148 | 66 | 42 | 1011 |

Subsequent to this count, a question arose whether it was within the power of the Committee to permit the introduction of other testimony, than that bearing upon the points alleged in the petition of the contestant, Edmund Weatherby; the Committee decided that the case must be determined upon the allegations set forth in the petition only; in this course, they were fully and entirely confirmed by the opinion of the Assistant City Solicitor.

The Committee desire that this statement of facts may be considered part of their report, and accordingly entered upon the Journal, so that hereafter it may appear to all what were the grounds upon which the Committee founded their decision; in all of which, in addition to their own best judgment, they have been guided by the legal advice of the City and Assistant City Solicitors.

The Committee, therefore, decide that M. J. Dougherty having received one vote more than Edmund Weatherby, that the said M. J. Dougherty is hereby declared to be entitled to his seat as a member of Common Council from the

Fourth Ward. All of which is submitted together with the accompanying documents for the information of Councils.

Samuel J. Randall,
 W. H. J. Read,
 James Gay,
 John Lloyd,
 R. Cresswell,
 John A. Mercer,
 S. S. Bishop,
 Henry Shuster.

APPENDIX No. 11.

To the Select and Common Councils of the City of Philadelphia.

The Joint Special Committee of Councils, to whom was referred those portions of the message of the Mayor which refers to the payment of the interest on the Public Debt that falls due on the 1st of July, proximo, and to the immediate assessment and collection of Taxes, beg leave to report that in the discharge of the duties imposed on them, they have applied to and have received from the Treasurers of the City, County, Districts, Boroughs, &c., a statement of the amount of the various debts included under the Consolidation Act, which they have carefully collated, and find the aggregate amount of the debt of the City of Philadelphia to be \$18,138,371 $\frac{87}{100}$, exclusive of the debt of the Guardians of the Poor. The amount of Railroad Stocks and other securities, drawing interest in the possession of the various corporations, \$9,708,440 $\frac{40}{100}$. The amount of interest due July 1st, 1854, your Committee find to be about \$367,000, whilst the cash on hand amounts to \$142,792 80, exclusive of the amount appropriated for the erection of a bridge at Chestnut street of \$125,000. Although a deficiency of means exist, yet your Committee are confident that arrangements may be made by which the interest can be paid on the 1st proximo.

In order to be able to preserve the credit of the City, as it has ever been, unsullied and untarnished, by defalcation in the payment of the principal or interest of the City debt, and to avoid forfeiting the well-earned fame acquired during the most trying periods in the financial history of the world, your Committee would respectfully submit the accompanying Ordinance and ask its adoption.

W. Wickersham,
Wm. S. Smith,
W. P. Hacker,
P. A. Keyser,
John U. Giller,
Wm. F. Smith,
W. O. Kline.

Committee Room, June 22, 1854.

An Ordinance to make An Appropriation to Pay the Interest on the Funded Debt of the City of Philadelphia, falling due on the first day of July, 1854.

SECTION 1. Be it ordained by the Select and Common Councils of the City of Philadelphia, That the sum of \$370,000 be, and the same is hereby appropriated for the purpose of paying the interest on the funded debt of the City of Philadelphia, which will fall due on the first day of July, A. D., 1854.

SECT. 2. Until the City Controller enters upon the duties of his office, the City Treasurer shall pay the said interest to the persons entitled to receive the same, without further or other warrant than this ordinance.

SECT. 3. That after the Controller shall enter upon the duties of his office, the warrant to the City Treasurer for the payment of interest upon the City debt, shall be issued in the following manner and form, namely: the said Treasurer shall present to the Mayor a list of the loan holders, which shall contain the amount of the principal of the debt owned by them respectively, the rate of interest, the amount of interest accrued, the amount of the State tax to be deducted

and retained, and the nett sum due for interest, and at the foot of such list the Mayor shall add the following warrant :

MAYOR'S OFFICE,

185

To the City Treasurer :

Pay to the persons above named, the amount respectively due to them, as above set forth, for interest on City debt due.

Mayor.

The said list and warrant shall then be presented to the City Controller to be countersigned. And the said Treasurer shall exhibit to him the evidence that the said persons are entitled to receive such interest.

SECT. 4. The City Treasurer shall deposit in the Bank of North America, all monies which he shall receive on account of the Girard Trusts, and his account in said bank shall be kept in his name as City Treasurer for the Girard Trust. And in the same bank he shall deposit all monies received by him on account of all other Trusts vested in the Corporation of the City of Philadelphia, and his accounts thereof shall be kept in his name as City Treasurer for the respective Trusts. And the said Treasurer shall deposit the Corporate monies of said City in the Bank of Pennsylvania, the Girard Bank, Bank of the Northern Liberties and Southwark Banks, in equal portions, as near as may be.

Passed, June 22, 1851.

APPENDIX No. 12.

The Joint Special Committee, to whom was referred the resolution passed by Councils creating a Committee to procure suitable rooms for the meetings of Councils, beg leave respectfully to report :—

That they have given the subject their careful consideration and attention, and that, after an examination of many rooms, they have determined to recommend the permanent

meetings of the Councils to be held in the centre apartments of the State House, up stairs, now occupied by the United States Circuit Court and the United States Marshal. These rooms, by proper alteration, can be made comfortable in every respect, and have the advantage of being well and thoroughly ventilated.

Your Committee would ask the adoption of the following resolution by Councils:

Resolved, That the centre portion of the State House building, up stairs, be selected for the permanent meetings of these Councils, and that the Clerks of Councils be directed to make the necessary alterations—subject, however, to the directions and supervision of the committee heretofore appointed.

Select Council concurred.

Samuel J. Randall,
 Jas. J. Boswell,
 B. Crispin,
 John A. Mercer,
 A. D. Caldwell,
 Francis H. Duffee,
 J. L. Hutchinson,
 P. A. Keyser.

APPENDIX No. 13.

The Committee composed of the members of Council from the First, Second, Third, and Fourth Wards, appointed under a joint resolution, "To take charge of and have the direction of all matters lately under the direction and control of the Districts of Southwark, Moyamensing and Pas-syunk, &c."

Respectfully Report:

That among the earliest subjects which received their attention was that of determining the extent of their powers. They have carefully and anxiously considered this question, being alike desirous of discharging their own duties faithfully, and solicitous to avoid doing anything which might conflict with the rights or duties of others.

It will hardly be claimed for the Consolidation Act, as it is commonly called, that it is free from obscurities; but the Committee respectfully submit, that from the whole scope and tenor of the Act, this may be understood as the fair interpretation of the sixth section of that law, and the meaning and intention of its framers, viz: That the new Councils should, within a period not exceeding sixty days after the first Tuesday in July next, enact the necessary ordinances suited to the new exigencies which would naturally flow from Consolidation, for carrying on the government in the Consolidated City; that the Mayor should, by his proclamation, to be issued under the direction of Councils, fix a day within the time above named, for the termination of the powers, rights and immunities of the old municipal corporations, but that, until the time so fixed by the proclamation, the several old municipalities should carry on the ordinary business of government within their respective limits.

The fiftieth section of the act expressly declares, that "no member or members of Council, whether as a committee or otherwise, shall make any disbursement of corporate monies, nor audit the accounts thereof, nor perform any other executive duty whatever." And as this Committee are unwilling to believe that the resolution under which they act was intended to clothe them with powers which the law declares they shall not exercise, they have arrived at the conclusion, that the only duty they can lawfully perform is to maintain a supervision of the money and other property belonging to the City, now in the possession of the Districts of Southwark and Moyamensing, and the Township of Passyunk,—such money and property having been transferred to her by the thirty-seventh section of the Act of Assembly.

The Committee have been attended by a committee appointed by the Board of Commissioners of the District of Southwark, and by the Supervisors of the Township of Passyunk, and they have also received a communication from the President of the Board of Commissioners of the District of Moyamensing, another from the Treasurer of that District, containing a statement of its funded debt, finances, &c., which the Committee herewith transmit to Councils. They have also received a statement from sundry other officers of the last named District, which also accompany this report.

The Committee take pleasure in stating, that the authorities of these districts and townships express the most friendly feelings towards Councils and their Committee, and a ready willingness to surrender to the City all property in their possession ; but the Committee have not deemed it compatible with the public service to deprive them of its possession at this time.

The Committee have learned in their interview with the Committee on the part of the Commissioners of the District of Southwark, that there exists in the latter named body, a difference of opinion as to their right and obligation to continue the government of the District, and the performance of the public work, and to pay salaries, and for labor ; such doubts may also exist in the minds of the Commissioners of Moyamensing. Although the Committee believe, as they have already stated, it is the duty of the old corporations to carry on the ordinary business of government in their respective Districts, until their powers shall be divested by the Mayor's Proclamation ; yet as there appears to exist much diversity of opinion as to the proper construction to be given to the law, and as they have been informed that it would be more satisfactory to the Corporation Officers of Southwark to have an expression of opinion from Councils upon this subject, the Committee respectfully recommend the adoption of the following resolution, although they are aware that such opinion can neither add to, nor diminish the force of the law.

George Norton, *Chairman*.
William H. Dennis,
William Moran,
John A. Houseman,
Richard M. Berry,
C. S. Dunk,
M. J. Dougherty,
John A. Mercer,
James M. Gibson,
James Davenport,
William B. R. Selby,
M. Sandgran,
Henry L. Smith,
I. N. Marselis.

Resolved, That in the opinion of these Councils, the Corporations of Southwark and Moyamensing, and the Supervisor of the Township of Passyunk, should continue to maintain their proper police regulations, their arrangements for a supply of water, and to cleanse and keep in repair the streets, lanes and alleys, within their respective corporate limits, and that they should also pay salaries, wages, and for labor and materials, under the supervision of this Committee, until their powers shall be divested by the Mayor's Proclamation.

Laid on the table.

APPENDIX No. 15.

To the President and Members of Common Council.

GENTLEMEN :

The Committee of Members, Representatives of the 13th, 14th and 15th Wards, to whom was referred the supervision of property, &c., of the District of Spring Garden, report having addressed a communication setting forth the nature of our appointment to said Board of Commissioners whilst in session, when said communication was received, read, and on motion, laid on the table, when your committee was verbally notified by their messenger, that they (the Commissioners) had no communication to make ; when we adjourned, and report to you for further instructions, all of which is respectfully submitted.

Geo. W. Pomeroy, }
 H. D. Caldwell, } Com.
 Wm. Conrad, }

APPENDIX No 16.

To the Honorable, the President and Members of Select and Common Councils of the City of Philadelphia.

The Committee, composed of the members of Councils from the 11th and 12th Wards, duly appointed by your Honorable Bodies to take charge of and have the direction of all matters lately under the direction and control of the late District of the Northern Liberties, beg leave respectfully to report—

That in the discharge of the duties assigned them by your Honorable Bodies, they held a meeting at the Commissioners' Hall in said late District, on Saturday evening, June 17th, A. D., 1854, for the purpose of organization and transaction of business. All the members of the Committee being present, with the exception of one member from the 11th Ward, your Committee did then organize; and, after making diligent inquiry from those gentlemen present at this meeting, connected with the late corporation as officers thereof, in reference to such matters as required immediate action on the part of this Committee, and finding, upon such inquiry, that there was no person at that time authorized to cleanse the streets, your Committee accordingly authorized the employment of proper persons to attend to that duty forthwith, and to have the street dirt, together with the garbage and coal ashes removed, and have appointed Mr. John Myers to superintend the same.

Respectfully submitted,

P. A. Keyser,
N. L. Keyser,
W. P. Hacker,
Chas. M. Wagner,
John Horn,
Peter F. Laws,
C. B. Andress.

APPENDIX No. 17.

To the Select and Common Councils of the City of Philadelphia.

The Committee of Council from the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Wards; to whom was referred the direction and control of the Districts of Kensington, Richmond and Penn,

Submit the following Report:

That your Committee met, pursuant to notice served by the Clerk, upon each member of the Committee, at the Commissioners' Hall in the District of Kensington, on Friday evening, the 16th of June, and proceeded to organize, by the appointment of R. P. Gillingham, of the Sixteenth Ward, Chairman; Mr. C. W. Steel, Assistant Clerk of Common Council, acting as Clerk to the Committee.

The first action of your Committee was instructions to the Clerk to obtain from the officers of the various municipal corporations over which we have control, a statement of the effects, &c., of the different Corporations of Kensington, Richmond and Penn, together with the balance in the hands of the Treasurer.

At a subsequent meeting, your Committee received the accompanying report from the Clerk of the District of Kensington, exhibiting an inventory of the effects of the said District.

Reports of the same tenor were received from the District of Penn and Richmond, your Committee have been informed, would be submitted to Council at this session, and they have consequently not been able to obtain them.

The members of Council from the Twentieth Ward were authorized by your Committee to demand and take possession of the key of the Commissioners' Hall, in their District, and direct the Janitor thereof to keep the said Hall closed, until otherwise ordered.

Your Committee has found the Water Works in the District of Kensington in good order, but the engineer reported to them that he was in want of coal, in order to keep the same in operation.

The Committee on Water Works of the District of Kensington, in conjunction with your Committee, were instructed to make the necessary arrangements for the supply of coal.

The Superintendent of Water and Paving, of the District of Kensington, reports everything in his department in good order, and that the work is progressing as usual.

The officers of the District of Kensington were instructed to keep a correct account of all purchases made by them for the said District, and had the same powers extended to them by your Committee, as they possessed under the late Board of Commissioners.

The Superintendents of Highways was instructed to procure the necessary force, in addition to that already employed, to keep the streets clean and in proper order; and also to procure the necessary quantity of chloride of lime, to be used in the sewers, drains, &c., of the District.

The Clerk was instructed to call the attention of the Board of Health to the ponds and stagnant water existing in several localities of the District.

The Superintendent of Police reported that dogs to the number of two hundred and six (206) had been taken up, from the 12th to the 22d of June, instant, twenty-five of which were redeemed and the balance killed.

The said Superintendent of Police was instructed to enforce the ordinance against the running at large of hogs in the District.

All of which is respectfully submitted.

R. P. Gillingham, *Chairman.*
J. S. Painter,
Wm. Parham,
Seth Austin,
John Dubree,
James Gay,
J. L. Hutchinson,
John P. Verree,
Jno. K. Knorr,
W. O. Kline,
Edw'd Gratz,
C. B. F. O'Neill.

APPENDIX No. 18.

The Committee, composed of the members of Councils from the First, Second, Third and Fourth Wards, to whom was referred a resolution from the Board of Health in relation to a nuisance, or alleged nuisance in Prime Street, between Front and Second Streets; also, certain other resolutions of said Board, in relation to a more thorough cleansing of the streets, &c.; and also, a resolution of Councils in reference to contracts for cleansing streets, their present condition, &c., &c.

Respectfully Report:

That they immediately entered upon the discharge of the duties assigned them. The sphere of their action was, of course, confined to the Districts of Southwark and Moyamensing, and the Township of Passyunk. The nuisance, or supposed nuisance complained of in Prime street, arose from the re-setting of the curb stone, and the consequent removal of some portion of the paving therein, which has since been thoroughly repaired, and the nuisance, therefore, if any there was, has been abated.

The Committee have requested the Commissioners of Southwark and Moyamensing, and the Supervisor of the Township of Passyunk, to furnish them with reports upon certain subjects, embracing, as they believe, all matters relating to their respective districts, but which the Committee have not yet received, not from any want of inclination on the part of the Commissioners to furnish them, but because it is understood they have not had sufficient time to prepare them. The Committee are therefore unable, at this time, to say with certainty, what contracts there are in these districts for cleansing the streets, although they have received information respecting the Moyamensing contract upon this subject, which is hereinafter referred to; but so far as they have been able to ascertain from inspection and information, they believe that the streets and alleys of Southwark are in a clean and healthy condition, and that the force employed thereon, for the purpose of cleansing, is sufficient.

The Committee have been informed that the Commissioners of Moyamensing have a contract with James McCoy for

cleansing the streets of that District. As this information was only received at the last session of the Committee, they have not yet been able to see the said contract, but they have been informed by the President of the Board of Commissioners and the Solicitor of the District, that it makes it the duty of the contractor to clean the streets, lanes, and alleys of that District, twice a week for eleven months, which will expire on the first day of January next, for the sum of two thousand dollars; and that it also contains a stipulation authorizing the Commissioners to retain twenty per centum of the amount, to be applied by them for such cleansing, should the contractor fail to perform his duty.

The Committee have learned that the contractor has a force on the streets consisting of only four men, and two carts, and that he has not properly complied with the terms of his contract; and from inspection, they find that some of the streets are in an unclean condition and require immediate attention. They do not think the force employed adequate for the purpose of a proper cleansing of said streets, and they therefore recommend the employment of twelve additional men and four additional carts, for the purpose.

In view of the present condition of the said streets, the Committee would recommend this course, in any event; and although the contract price is believed to be low, yet, they also recommend that the twenty per cent. thereof, mentioned in the contract, be withheld from the contractor until further investigation of this subject can be made.

The Committee also beg leave to say, that they have instructed the Superintendent of Highways in Southwark and Moyamensing, to have the plugs opened daily, and to have the market-houses, gutters, &c., well washed. They have also instructed said superintendent to procure sufficient quantities of chloride of lime, and to apply the same to the inlets, and the gutters near thereto, in accordance with the recommendation of the Board of Health. The condition of the dock and wharves will also receive their attention.

The Township of Passyunk being a rural District, and free from any nuisance, so far as the Committee are aware, requires no particular notice in this report.

In conclusion the Committee recommend the adoption of the following resolutions.

George Norton, *Chairman*.
John A. Mercer,
Wm. Moran,
Wm. H. Dennis,
James Davenport,
Michael J. Dougherty,
John U. Giller,
James M. Gibson,
Richard M. Berry,
C. S. Dunk,
John A. Houseman,
M. Sandgran,
Wm. B. R. Selby,
J. N. Marsellis.

APPENDIX No. 19.

Also, The Local Committee appointed to take charge of the business of the late City, comprising the fifth, sixth, seventh, eighth, ninth and tenth wards, to whom was referred the resolution adopted at the last meeting, requiring them to present a statement of the present condition of the streets, &c., &c.

Respectfully Report :

That there is now existing a contract between the cleansing department, as formerly organized, and Henry Bickley, a copy of which is herewith presented, providing for the cleansing of the City, which if properly carried out, with a liberal use of disinfecting agents, to be supplied by the proper authorities, is sufficient to preserve the cleanliness of the City, as the Board of Health have it in their power to direct such measures as will accomplish the same.

The Committee offer the resolution herewith annexed :

A. G. Waterman, *Chairman*.
 Anson Gray,
 J. W. Martien,
 C. O. Grove,
 Jos. M. Cowell,
 S. S. Bishop,
 Jos. M. Thomas,
 D. B. Hinman,
 Geo. Griscom,
 Wm. S. Smith,
 Sam. Copeland,
 John H. Diehl,
 Thos. Balch,
 Charles A. Ebby,
 Algernon S. Roberts.

Committee Room, June 29, 1854.

APPENDIX No. 20.

An Ordinance to make appropriation to pay the salaries of the Teachers and House-keepers in the Public Schools, which will become due on the first day of July, 1854, and to pay the Wages of the Police, Watchmen and Lamp-lighters due at that time.

SECTION 1. The Select and Common Council of the City of Philadelphia enact that the sum of Eighty Thousand Dollars be and the same is hereby appropriated to pay the salaries of the Teachers and House-keepers in the Public Schools which will become due on the first day of July next; and the sum of Twenty-six Thousand Five Hundred Dollars to pay the wages of the Police, Watchmen and Lamplighters which will become due at that time.

Provided, That the payments shall not be made until after the fifth day of July next.

Passed, June 29th, 1854.

APPENDIX No. 21.

An Ordinance providing for the appointment of the Standing Committees of Councils.

SECTION 1. For the purpose of supervising the operations of the different departments, and of assisting councils in the consideration of subjects brought before them, relating to the interests of the corporations, the following joint Standing Committees to consist of six members of each council, shall be appointed by the respective presidents on the passage hereof, and annually on the organization of councils.

- 1st, a Committee on Finance.
- 2d, a Committee on Department of Water Works.
- 3d, a Committee on Department of Gas Works.
- 4th, a Committee on Girard Estates.
- 5th, a Committee on Department of Highways, Bridges, Sewers, Culverts and Cleaning the City.
- 6th, a Committee on Department of City Property and Public Grounds.
- 7th, a Committee on Department of Police.
- 8th, a Committee on Trusts and Fire Department.
- 9th, a Committee on Department of Health.
- 10th, a Committee on Department of Poor.
- 11th, a Committee on Department of Prisons.
- 12th, a Committee on Department of Schools.
- 13th, a Committee on Surveys and Regulations.
- 14th, a Committee on Rail Roads.
- 15th, a Committee on Claims.
- 16th, That a Committee of 3 members from each Chamber shall be appointed to compare bills and transmit the same to the Mayor, when found correct.
- 17th, a Committee on Port Wardens, Public Landings and Wharves.
- 18th, a Committee on Department of Law.
- 19th, a Committee on Market Houses.

SEC. 2nd. The chairman of the first, third, fifth, seventh, eighth, tenth, thirteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth, shall be members of the Common Council, and the chairman of the remaining Committees shall be members of Select Council, but no member of either council shall be chairman of more than one Standing Committee. They shall hold stated meeting for the transaction of business at such times as a majority of the committee may determine, and special meetings whenever the chairman or three members thereof may require.

SEC. 3rd. The Committee on Finance shall have supervision over the departments of the City Treasurer, the Receiver of Taxes and the City Controller. The Committees on the department of the Water Works, on the department of the Gas Works, on the department of the Girard Estates, and the department of Highways, Bridges, Sewers and Cleansing the City, on the department of City Property, on the department of Police, on the department of Health, on the department of the Poor, on the department of the County Prison, on the department of Schools, on Surveys and Regulations, Rail Roads, on Claims, compare bills, Port Wardens, Public Landings, Wharves, department of Laws, and Market Houses, shall exercise a general supervision over said departments, for the exposure and correction of evils and abuses.

The Committee on the departments of City Property and on the Girard Estates shall fix the sums for which the real estate in charge of those departments, shall be rented.

The Committee on Trusts shall supervise the execution of the several trusts vested in the Corporation except the Girard Trust.

The Committee on Rail Roads shall have such care of the subscriptions heretofore made by the Corporation of the Mayor, Aldermen and Citizens of Philadelphia to Rail Roads, as is rendered necessary by the terms of such subscription to be exercised by the Councils of said Corporation, but the said Committee shall perform no executive act thereabout, but report to Councils from time to time such measures as may be necessary to protect the interest of the City in such Rail Road Corporations.

The Committee on Claims shall report to Councils the evidence and all the circumstances connected with any claim which may be presented to Councils, and for which no appropriation is made, or general ordinance providing for its adjustment or otherwise.

The members of the Select and Common Council shall constitute a Standing Committee of Visitation to the Girard College for Orphans; and the President of each Council shall immediately after the passing of this bill, and annually hereafter, on the organization of Councils, divide the members of their respective Councils into twelve sub-committees of twelve members each; six of whom shall be of the Select and six of the Common Council, and who shall serve for one month in the order in which they are constituted as aforesaid.

The said sub-committees to visit the Girard College for Orphans at least once in each month, and examine the condition thereof, and report the same to the Standing Committee of Visitation, or to Councils, at their discretion, at such times as they shall deem expedient.

Passed, June 29th, 1854.

APPENDIX No. 22.

An Ordinance prescribing the powers and duties of the City Controllers.

Be it ordained and enacted that,

SECTION 1. The head of this department is the City Controller. He shall, before entering upon his office, take and subscribe an oath or affirmation before the Mayor, faithfully to discharge the duties thereof.

SECT. 2. The City Controller shall superintend the fiscal concerns of City, and shall manage the same in the manner required by the laws of this State, and the ordinances and resolutions of the City Councils.

SECT. 3. He shall keep a regular set of books in which shall be opened and kept as many accounts, under appropri-

ate titles, as may be necessary to show, distinctly and separately, all the estate and property whatsoever, real and personal, vested in the City by law or otherwise, all trusts in the care of the same, all debts due to and owing by the City, all the receipts and expenditures in the various departments of the City, and all appropriation made by the City Councils, and the sum expended under the same respectively.

SECT. 4. He shall, from time to time, and as often as he may deem necessary, or the City Councils shall direct, suggest plans to the Councils for the improvement and management of the City finances.

SECT. 5. He shall have the supervision and control of the fiscal concerns of all departments, bureaux, and officers of the City, who shall collect, receive, or disburse the public monies, or who are charged with the management or custody thereof, and may at any time require from any or all of them an account, in writing, of any and all monies or property of the City in their hands or under their control, and he shall immediately upon the discovery of any default or delinquency report the same to the City Councils.

SECT. 6. He shall countersign all warrants on the City Treasurer, and shall not suffer any appropriation made by the City Councils to be overdrawn. Every case in which an appropriation shall be exhausted, and the object of which is not completed, he shall immediately report to the City Councils, and accompany such report with a statement of the monies which have been drawn on such appropriation, the particular for which they were drawn. Whenever a warrant on the Treasury shall be presented to him to be countersigned, the person presenting the same shall, if the Controller require, produce evidence.

1st. That the amount expressed in the warrant is due to the person in whose favor it is drawn.

2d. That the supplies or the services for payment of which the warrant is drawn, have been furnished or performed.

3d. That no councilman, member, officer, or agent of the City Corporation, is directly or indirectly interested in the sale of the supplies for which the warrant is drawn.

4th. If the supplies have been furnished to any department placed under the supervision of Councils, or recognized by the Act commonly called the Consolidation Act, then that no member of such department, or officer, or clerk, or agent thereof, is directly or indirectly interested in the sale of said supplies to such department.

SECT. 7. He shall perform all the duties now enjoined on the County Auditors by the laws of this State, and shall scrutinize, audit and settle all accounts whatever, in which the City is concerned, either as debtor or creditor, where provision for the settlement thereof is made by law, and where no such provision, or an insufficient provision has been made, he shall examine such accounts, and report to the City Councils the facts relating thereto, with his opinion thereon.

SECT. 8. He shall make a report, verified by oath or affirmation, to the City Councils, at their first stated meeting in January, in each year, of the public accounts of the City, and of the trusts in their care, exhibiting all the receipts and expenditures of the City, the sources from which the revenue and funds are derived, and in what manner the same have been disbursed, each account to be accompanied by a statement in detail, in separate columns, of the several appropriations made by Councils, the amount drawn on each appropriation, and the balance standing to the debit or credit of such appropriation. And he shall publish said report in two or more newspapers, as required by the twelfth section of the Consolidation Act of February 2d, 1854.

SECT. 9. He shall report to the City Councils within ninety days after he enters upon the discharge of his duties, a statement of all the lands, tenements, hereditaments, bridges, ferries, railroads, wharves, markets, stalls, landings, landing-places, water-works, gas-works, buildings, easements, franchises of, in, and to all goods, chattels, monies, effects, debts, dues, demands, amercements, fees, perquisites, rights, income, stocks, bonds, obligations, judgments, liens, actions, and rights of action, books, accounts, and vouchers, and of, in, and to, all other property and estate whatsoever and wheresoever, belonging to any or either of the several Townships, or Districts, and other Municipal Corporations of Philadelphia, and of all trusts held by the same, and vested in the City of Philadelphia by the Consolidation Act

of February 2, 1854, and also a statement of all contracts made by any of said Townships, Districts, or other Municipal Corporations, directed or authorized by the authorities of the same, and not performed or completed, or upon which any money remains unpaid, with the amount of money so remaining unpaid on each. And it shall be his duty to report to City Councils a like statement within thirty days of the organizations of the Councils in each year.

SECT. 10. He shall communicate, in writing, to the City Councils, on or before the first day of February in each year, a detailed estimate of the receipts and expenditures for the current fiscal year.

SECT. 11. He shall have a deputy, to be appointed by and with the advice and consent of the Select Council, and in case of a vacancy in the office of City Controller, the Deputy shall act as Controller until the vacancy shall be filled, as provided by the forty-sixth section of the Consolidation Act of February 2, 1854, and until the person chosen in the manner therein provided shall be duly qualified.

SECT. 12. He shall have four clerks and a messenger, to be appointed by and with the consent of the Select Council, who shall perform such duties as he or his Deputy shall assign them. The Deputy Controller and the Clerks shall be sworn or affirmed, in like manner as the Controller, to discharge their duties faithfully.

Passed, June 29, 1854.

APPENDIX No. 23.

To the Select and Common Councils of the City of Philadelphia.

The Committee to whom was referred the memorial of Thomas S. Davis, George Blackbyrne, and Thomas Ryan, respectfully present the following report:—

Thompson Street Culvert.

The only authority vested in the Commissioners of the District of Penn to construct the culvert in Thompson Street, was by an Act of the Legislature, approved February 20th, 1852—Digest of Penn Dist.

ACT OF FEBRUARY 20TH, 1852.

An act for dividing the Incorporated District of Penn, in the County of Philadelphia, into Wards authorizing the construction of Culverts, and the erection of Market Houses in said District.

2. SECT. III. That the Commissioners of the District shall have full power and authority, by a majority of the Board, to construct a culvert in Thompson Street, agreeably to the plan of said District, beginning at such point or points, and extending along the line of said street such a distance or distances as they may deem advisable; with full power and authority, by loan or otherwise, to provide means for the payment of the same: *Provided, however,* That at least thirty days' notice shall be given in one or more daily paper or papers published in Philadelphia, inviting proposals for the work to be done, plans and specifications of which shall be exhibited to the public at the Commissioners' Hall in said District, and at the expiration of said notice, the proposals shall be opened by a committee appointed by the Board, and the work allotted to the lowest bidder or bidders, either in whole or by sections; a majority of the Board agreeing thereto.

That, by the 6th Section of the Consolidation Act, passed January 31st, 1854, the Commissioners of the District were divested of the only power by which they were capable, or authorized to construct this culvert; that on or about the 1st of March, at a special meeting of the Commissioners of said District, a resolution was adopted inviting proposals for the construction of said culvert, in conformity with the provisions of the Act of February 20th, 1852. That immediately upon the adoption of said resolution, and notice under it, application was made to the Court of Common Pleas of Philadelphia County, to restrain the Commissioners of said District from allotting said culvert, as will more fully appear by reference to said bill of application. That on the 30th of March, a cautionary order was issued by said Court, forbidding the said Commissioners from proceeding in the allotment of said work, as will more fully appear by reference to said notice. That in defiance of said order of Court, on the 3d day of April, the said Commissioners held a meeting of said Board, and opened sundry proposals, and

allotted the said culvert to Davis, Ryan and Blackbyrne, there being at said meeting but eight members present; five of whom voted in favor of, and three against said allotment. That immediately upon the allotment thus made, notices were issued and served upon said contractors, and upon Jacob D. Sheble, President of said Board of Commissioners, warning and forbidding them against proceeding in the construction of said culvert, as it was allotted illegally, and warning the said Jacob D. Sheble against making or entering into any contracts with the said Davis & Co., under this illegal allotment. That the said Davis & Co., disregarding the order of the Court and the notice forbidding them to undertake the construction of said culvert, did immediately enter upon the work of said culvert, and progressed with it until restrained by the absolute injunction of the Court. That the Court in granting this injunction, declared the allotment thus made on the 3d of April, illegal. That on the 28th day of April the said parties above recited, procured the passage of a special Act of the Legislature, in words following, to wit:

“Be it enacted, &c.,

“That the Commissioners of the District of Penn, by a majority of the Board, be and they are hereby authorized to complete the culvert in Thompson Street, and provide means for the payment of the same, and that all allotments of said work already made be and they are hereby confirmed.”

That on the 1st day of June, a special meeting of the Board of Commissioners was held, and a resolution adopted confirming said allotment to said contractors, and, immediately after, application was made by said contractors to the Court to dissolve the injunction, which application was held by the Court under advisement; that before the opinion of the Court, under said application, was given, the Select and Common Council of the City of Philadelphia passed a resolution forbidding said contractors from proceeding in said work, except at their own peril and risk, directing the Solicitor of the City to notify them to that effect, as also that any claims arising from any work they or either of them might do, would not be recognized as a claim against the city; which notice was duly served on said contractors.

That the power thus exercised by the City was fully vested in them by the Consolidation Act, and that all proceedings in the premises by the Board of Commissioners of Penn are inoperative on the final action of the City Councils. That the allotment thus illegally made will appear more apparent by the tabular statement of the proposals, hereto annexed, showing that the contract was given to the highest and worst bidders, and not to the lowest and best, and that when said allotment was made the power of the Commissioners of the District of Penn to make the same had been superseded by the Consolidation Act.

The Board of Commissioners of Penn consisted of fifteen members.

Your Committee believe that the early completion of this culvert is important and necessary to the value and improvement of a large portion of the property in the Twentieth Ward, but its importance, or necessity, should not, nor will not, justify an unnecessary waste of the public treasure, under circumstances indicating, if not absolutely establishing, corruption and fraud in its allotment.

Your Committee cannot otherwise than feel indignant at the defiatory character of the late communication of Davis, Ryan & Blackbyrne addressed to your honorable bodies, who, regardless of the notice served on them by our Solicitor, under the direction and authority of the Councils, have undertaken and resumed the work on the Thompson Street Culvert.

Allotment made by Committee:

| | |
|--|-------------|
| T. S. Davis, from 6th to 9th st., 1217 ft. 7½ in., at \$8.75 per foot, - - - - - | \$10,854.20 |
| George Blackbyrne, from 9th to 11th st., 892 ft. at \$9 per foot, - - - - - | 8,028.00 |
| Thos. Ryan, from 11th to Broad, 1445 ft., at \$8.25 per foot, - - - - - | 11,921.00 |
| | <hr/> |
| | 30,803.20 |

SCALE OF PROPOSALS.

| | | | |
|---|--------------|----------------|-------------|
| Wm. J. McMahon, | \$33,550.00, | abv. allotm't, | \$2746.80 |
| McNeely & J. Maheffon, | 32,077.32, | do. do. | 1274.32 |
| S. McCullough & Co., | 30,214.30, | below do. | 588.90 |
| A. Schofield & Co., | 27,714.50 | do. do. | 3,088.70 |
| Donahue & Storm, | 27,000.00, | do. do. | 3,803.20 |
| Francis Murray, | 26,760.00, | do. do. | 4,042.20 |
| Anthony Storm, | 26,500.00, | do. do. | 4,303.20 |
| Israel Vanhorn, | 24,250.63, | do. do. | 6,552.55 |
| A. Olwine, | 24,159.85, | do. do. | 6,643.35 |
| Edward S. Felch, | 24,064.64, | do. do. | 6,738.51 |
| John McCowen, | 23,225.40, | do. do. | 7,577.00 |
| Thomas Gogatz, | 23,192.00, | do. do. | 7,611.20 |
| Thomas Ryan, for the whole line of culvert, | | | \$31,353.87 |
| George Blackbyrne, | do. | do. | 31,110.83 |
| Thomas S. Davis, | do. | do. | 31,095.32 |

J. L. Hutchinson,
 Edward Gratz,
 Geo. A. Binder.
 Jos. Manuel, Jr.

Philadelphia, July 3, 1854.

APPENDIX No. 24.

The Committee to whom was referred the communication of John M. Coleman, Esq., requesting Councils to procure suitable rooms for the accommodation of the Receiver of Taxes, beg leave respectfully to report:

That they have given the matter their consideration, and have determined to recommend to Councils the lower rooms at the S. E. corner of Sixth and Chestnut Street, as a suitable place for the Receiver of Taxes to have his office. It is, or will shortly be vacant, and the Committee ask the adoption of the annexed resolutions in relation thereto.

John N. Henderson, Esq., the Controller, also made application to the Committee for accommodations, and the Committee after looking at several, and taking into consideration the immediate necessity for accommodations for that officer, have determined to recommend to Councils the second

story room of the Shakspeare Buildings, at the N. W. corner of Sixth and Chestnut Streets, and further ask the adoption of the annexed resolutions in relation thereto.

Resolved, That the Receiver of Taxes be, and he is hereby authorized to take possession of and occupy the lower front room of the County Court.

Samuel J. Randall, *Chairman*.
 A. D. Caldwell,
 Francis H. Duffee,
 P. A. Keyser,
 J. L. Hutchinson,
 W. B. R. Selby,
 B. Crispin,
 John U. Giller,
 John A. Mercer,
 James J. Boswell.

Philadelphia, July 3d, 1854.

APPENDIX No. 25.

To provide for the temporary cleansing of the City, and to make an appropriation therefor.

SECTION 1. The Select and Common Councils of the City of Philadelphia ordain, That the Board of Health be authorized to employ temporarily such agents, and to adopt such means, as they may deem necessary to cleanse such portions of the City wherein arrangements for that purpose have not been made by the late corporate authorities, and to insure greater efficiency of cleansing where contracts now exist.

SECTION 2. The sum of Five Thousand Dollars be, and the same is hereby appropriated, to carry into effect this Ordinance.

Enacted into an Ordinance, at the City of Philadelphia, this third day of July, A. D. 1854.

APPENDIX No. 28.

CITY COMMISSIONERS' OFFICE, }
Philadelphia, July 5th, 1854. }

To the President and Members of the Common Council.

GENTLEMEN :

The City Commissioners of the former City Corporation respectfully submit to Council, as required by the Ordinances of that Corporation, their second Quarterly Report for the year 1854, showing the City Expenditures authorized by Committees of Councils from 1st of April last to the 10th ult.

The former Commissioner of City Property respectfully submits his account of receipts of Market Rents for the Second Quarter of 1854.

The former City Clerk respectfully submits an account of his receipts for entries of all kinds of vehicles used for hire from 1st April last to 1st inst. inclusive, and also of his payments to the City Treasurer for the same period.

Respectfully submitted,

ROBERT H. SMITH.

City Clerk of the late City Corporation.

APPENDIX No. 29.

The Police Committee, to whom was referred the subject of organizing the Police Department, respectfully report the annexed Ordinance, and ask its adoption by Councils

Edw. Gratz,
 Wm. Moran,
 Chas. M. Wagner,
 Henry C. Pratt,
 Charles Thomson Jones,
 R. P. Gillingham,
 Wm. S. Smith,
 O. P. Cornman,
 A. G. Waterman,

Committee.

APPENDIX No. 30.

To the Select and Common Councils of the City of Philadelphia.

The Committee on Finance, to whom was referred so much of a draft of "An Ordinance organizing the Departments and Standing Committees of the Municipal Government of the City of Philadelphia, and prescribing their powers and duties," as relates to the financial matters, beg leave to report so much as relates to the Department of the City Treasury, with two amendments, viz: striking out the 4th line in section 22d, and the whole of section 25th.

M. S. Wickersham, *Chairman.*

Wm. F. Smith,

W. P. Hacker,

John U. Giller,

Edw. Gratz,

Wm. S. Smith,

Wm. B. R. Selby,

O. P. Cornman,

W. O. Kline,

P. A. Keyser,

Committee Room, July 6, 1854.

APPENDIX No. 31.

The Committee to whom was referred the questions at issue between the two Chambers of Councils, in reference to the salary of the Mayor, respectfully report that they, after meeting the Committee from Select Council, were unable to agree. They therefore report the following:

Wm. Moran,

A. F. Hoppel,

Jos. M. Cowell

APPENDIX No. 32.

To the Select and Common Councils of the City of Philadelphia :

The Committee on Finance beg leave to submit the accompanying ordinance, and ask its adoption.

M. S. Wickersham, *Chairman*,
 W. P. Hacker,
 Wm. F. Smith,
 John U. Giller,
 W. O. Kline,
 Wm. S. Smith,
 P. A. Keyser,
 Wm. B. R. Selby,
 O. P. Cornman.

Committee Room, July 6, 1854.

APPENDIX No. 33.

To the Select and Common Councils of the City of Philadelphia.

The Committee on Finance beg leave to submit the accompanying Ordinance, fixing the rate of taxation, as provided by the Act of January 31st, 1854, for the year 1854.

Your Committee would earnestly ask its immediate passage. The demands upon the Treasury are heavy and pressing, the ability to make further payments nearly exhausted.

By the passage of the Ordinance, receipts from taxes will at once be had, and all present and future demands upon the City Treasury will be promptly met, and much relief will be afforded to many claimants who are suffering by being unable to collect the amounts due by the City and Districts for labor, services rendered, and material furnished.

The rates fixed by your Committee are nearly the average rate of taxes of the various municipalities for last year. The discrimination required by the Act of Consolidation between built and rural portions of the City has been made by adopting the old names and boundaries of the municipalities, boroughs, and townships, as they existed prior to the Act of February.

M. S. Wickersham, *Chairman*,
 P. A. Keyser,
 Algernon S. Roberts,
 Wm. S. Smith,
 Wm. B. R. Selby,
 W. O. Kline,
 W. P. Hacker,
 John U. Giller,
 Wm. F. Smith,
 W. H. J. Read,
 Edw'd Gratz.

Committee Room, July 13th, 1854.

*An Ordinance to levy and fix the Rate of Taxes for the
 Year Eighteen Hundred and Fifty-Four.*

SECTION 1. The Select and Common Councils of the City of Philadelphia do ordain, That the City Commissioners be, and are hereby, authorized and required forthwith to levy on the real estate, furniture, emoluments of office, horses and cows, and carriages, returned by the assessors at the last county assessment, and situated or assessed within what were the following townships and wards, at the time of the passage of the Act of the 2d of February, 1854, entitled "A Further Supplement to an Act entitled 'An Act to Incorporate the City of Philadelphia,'" that is to say: Blockley, Bristol, Byberry, Delaware, Kingsessing, Lower Dublin, Moreland, North Penn, Oxford, Passyunk, Roxborough, the Unincorporated Northern Liberties, and the Upper Ward Germantown, a tax of one hundred and thirty-five cents in the hundred dollars on the assessed value thereof; and upon the before-mentioned real and personal estate and property situate or assessed in all other parts of the City of Philadelphia, a tax of one hundred and fifty

cents in the hundred dollars on the assessed value thereof; and upon every taxable inhabitant of the said City, returned by the assessors as aforesaid, the sum of twenty-five cents.

SECTION 2. The said taxes are to be levied for the year eighteen hundred and fifty-four as one city and county tax, and are hereby voted for the following objects respectively for the same period, namely:

For the Relief and Employment of the Poor, the sum of ninety-eight thousand dollars.

For the Public Schools, the sum of three hundred and twelve thousand dollars.

For county purposes, that is to say, for expenses of the Courts, Elections, Assessors, County Officers, and the like, the sum of three hundred and five thousand dollars.

For the public health, the sum of eighteen thousand dollars.

For the expenses of the County Prison, the sum of thirty-four thousand dollars.

And the balance for interest on the consolidated debt, and municipal purposes other than the foregoing. And the said amounts are hereby declared to be appropriated for the said objects, but subject to the further direction of Councils.

SECTION 3. The said Commissioners shall cause the duplicates of said taxes to be made out and delivered to the Receiver of Taxes without delay.

APPENDIX No. 34.

To the Select and Common Councils of the City of Philadelphia.

The Committee on Finance, to whom was referred the

Ordinance relative to the Receiver of Taxes, beg leave to report the same with sundry amendments.

M. S. Wickersham, *Chairman*,
 W. P. Hacker,
 John U. Giller,
 W. H. J. Read,
 P. A. Keyser,
 Alg'n S. Roberts,
 Wm. S. Smith,
 Wm. B. R. Selby,
 W. O. Kline,
 W. F. Smith,
 Edw'd Gratz.

Committee Room, July 13, 1854.

An Ordinance Prescribing the Powers and Duties of the City Treasurer.

SECTION 1. The Select and Common Councils of the City of Philadelphia do ordain, That the head of this department is the City Treasurer. He shall give bond to the Corporation, with two or more sureties, to be approved by the Select and Common Councils, in the sum of \$100,000, conditioned for the faithful performance of the duties of his office, as the same are or may hereafter be defined by any law of this Commonwealth, or any Ordinance of the city.

SECT. 2. He shall take and subscribe an oath or affirmation before the Mayor, honestly to keep and account for all public monies and property entrusted to his care.

SECT. 3. He shall deposit and keep in such places and manner as Councils may direct, or have directed, all public monies entrusted to his care as City Treasurer, including such as shall come to the Corporation as Trustee; and the accounts of such deposit of Trust monies shall be kept separate, and not blended with any other account.

SECT. 4. He shall verify his cash account once every week, to the satisfaction of the Committee of the Select and Common Councils on Finance, in such manner as the committee may require.

SECT. 5. He shall pay all warrants that shall be drawn upon him by the proper officer, and countersigned by the City Controller, and none other.

SECT. 6. He shall cause the accounts of his office to be kept in the form of accounts current, wherein the receipts and expenditures of the city shall be exhibited in an intelligible manner, and the particulars of each item of charge and discharge shall correctly appear. The said accounts shall be open for the inspection of any citizen during office hours, on the terms set forth in the 10th Section of the Act passed February 2, 1854, entitled "A further Supplement to an Act entitled an 'Act to Incorporate the City of Philadelphia.'"

SECT. 7. He shall cause accounts, separate and distinct from the other accounts of the Corporation, to be kept of the Girard Estate Fund, Trusts, and College, and of each of the other trusts vested in the Corporation of the City of Philadelphia.

SECT. 8. He shall, together with the Receiver of Taxes and the City Commissioners, perform the duties of a County Board of Revision, and a Board to hear and determine the appeals of tax-payers from assessment, as is hereafter provided.

SECT. 9. He shall report, daily, to the Controller, the amount of monies paid to him, and the sources from which the same are derived, and the accounts for which the same are respectively paid.

SECT. 10. There shall be four Clerks in this department, to be respectively known as the Book-keeper, Stock Clerk, and 1st and 2d Miscellaneous Clerks; they shall perform such duties in their several departments as the City Treasurer may from time to time direct.

SECT. 11. There shall be in this department a Messenger, whose duties shall be defined by the Treasurer.

SECT. 12. The salaries of the various officers in this department shall be as follows, payable quarterly:

| | | | | | |
|-----------------|---|---|---|---|---------|
| City Treasurer, | - | - | - | - | \$3,500 |
| Book-keeper, | - | - | - | - | 1,200 |

| | |
|--|-----------|
| Stock Clerk, - - - - - | 1,000 |
| First and Second Miscellaneous Clerks, | 900 each. |
| Messenger, - - - - - | 600 |

Approved this 20th day of July, A. D. 1854.

R. T. CONRAD,
Mayor.

APPENDIX No. 35.

Prescribing the Powers and Duties of the Receivers of Taxes.

SECTION 1. The Select and Common Councils of the City of Philadelphia do ordain, That the head of this Department is the Receiver of Taxes. He shall give bond to the Corporation, with sureties to be approved by the Select and Common Councils, in the sum of forty thousand dollars, conditioned for the faithful performance of the duties of his office, as the same are or shall be defined by any Act of Assembly of this Commonwealth, or any ordinance of the City. He shall be sworn or affirmed by the Mayor, that he will honestly keep and account for all public monies and property entrusted to his care, and to faithfully perform the duties of his office.

SECT. 2. He shall collect and receive all taxes and public assessments payable and receivable within the limits of the City; he shall make the allowance to all the payers who shall pay their taxes within the year for which they are assessed, that is prescribed and set forth in the 11th Section of the Act passed February 2, 1854, entitled "A Supplement to an Act entitled an Act to Incorporate the City of Philadelphia."

SECT. 3. He shall annually furnish to the Aldermen in every Ward a list of the personal taxes of persons therein as early in the year as practicable, and not later than the first of June, and the said Aldermen shall be required to make return to the City Controller at least once in every week, under oath or affirmation, of each item of such tax received by them, and immediately upon making such return, pay the same to the Receiver of Taxes.

SECT. 4. He shall render each day to the City Controller, an account, under oath or affirmation, to be administered by the Controller, of each item of his receipts, *and all fees*, and daily pay the same into the City Treasury.

SECT. 5. He shall cause an agent to attend for him, at least two days in the month of June, and each succeeding month of the year, (in some central and suitable place in the 21st, 22d, 23d and 24th Wards,) in Germantown, Frankford, Manayunk, Bustleton, Holmesburg, Somerton, Hestonville, Haddington and Paschalville, to receive the taxes of persons residing therein; and he shall give notice of the time and place of such attendance, in at least two newspapers, not less than three times, one of which papers shall be that in or nearest to the Ward in which the taxes are owing.

SECT. 6. He shall, immediately after the first day of December, annually, give general public notice, in at least four public newspapers of said City, for ten days, to all persons who shall have omitted to pay their taxes, to pay them before the first day of the succeeding January; and that if the same are not paid at the latter time, a warrant will issue to collect them; and if any warrant shall remain unpaid after the 15th day of the said month of January, he shall issue his warrant to any Constable of the City of Philadelphia, commanding him to levy such unpaid taxes, with all charges legally accrued thereon, of any goods or chattels, of any delinquent, wheresoever found, and to make sale thereof, after advertisement, as in case of distress for rent; which warrant shall be returnable within thirty days.

SECT. 7. He shall keep his office open for the transaction of business daily from the hours of 9 A. M., to 3 P. M., except Sundays, Fourth of July, Christmas Day, First of January, and such day as may be appointed by the Executive of the Commonwealth as a day of Thanksgiving.

SECT. 8. He shall, together with the City Treasurer and City Commissioners, perform the duties of a County Board of Revision, and a Board to hear and determine the appeals of tax payers from assessments.

SECT. 9. He shall have in this department the following Clerks, to wit: One Chief Clerk, six Assistant Receiving Clerks and a Messenger, all of whom shall be appointed by

the Receiver, with the advice and consent of Select Council. The said Clerks shall be sworn or affirmed in like manner as the receiver of Taxes, to discharge their duties faithfully; and said Clerks to be removed at the pleasure of the Receiver.

SECT. 10. He shall employ such additional Clerks as he may need for temporary purposes as the Select Council may approve.

SECT. 11. The officers named in this ordinance shall be entitled to the following annual salaries, payable monthly :

| | | | | |
|------------------------|---|---|---|---------|
| The Receiver of Taxes, | - | - | - | \$2,500 |
| The Chief Clerk. | - | - | - | 1,400 |
| Six Clerks, each, | - | - | - | 900 |
| The Messenger, | - | - | - | 600 |

JOHN H. DIEHL,
President of Common Council.

Attest—JOHN M. RILEY,
Clerk of Common Council.

JOHN P. VERREE,
President of Select Council.

Approved this 27th day of July, A. D. 1854.

ROBERT T. CONRAD,
Mayor.

APPENDIX No. 36.

To the President and Members of the Select and Common Council.

GENTLEMEN :

The Committee of Highways, beg leave to report the accompanying ordinance :

Establishing the Department of Highways, Bridges, Sewers, and Cleansing of the City.

Samuel Copeland, *Chairman*.
 Thomas T. Butcher,
 Charles Hubbard,
 Nathan Hilles,
 J. M. Marselis,
 Algernon S. Roberts,
 P. A. Keyser,
 O. P. Cornman.

Committee Room, July 13, 1854.

APPENDIX No. 37.

To the Select and Common Councils :

The Committee on the Girard Estate, report :

That Mr. Girard charged his devise to the Corporation of the Mayor, Aldermen, and Citizens of Philadelphia, with the payment of certain annuities, the half-yearly payment of which became due on the 26th June last.

The State taxes upon the said devise, for the year 1854, are unpaid, amounting to, less five per cent, \$4,866 13.

The Committee herewith submit an ordinance making an appropriation for the payment of the said annuities and taxes.

A. G. Waterman, *Chairman*.
 Algernon S. Roberts,
 Jas. J. Boswell,
 P. A. Keyser,
 James Stuart,
 A. D. Caldwell,
 Wm. O. Kline,
 W. P. Hacker,
 O. P. Cornman,
 R. M. Berry.

An Ordinance to make an appropriation from the income of the Girard Estates, for the payment of State taxes and certain annuities

SECTION 1. The Select and Common Councils of the City of Philadelphia, do ordain, That the sum of seven hundred dollars be, and the same is hereby appropriated out of the residuary portion of the Girard Estates for the year 1854, to pay the following annuities, namely,

| | | | | | | |
|--------------------|---|---|---|---|---|-------|
| Jane Taylor, | - | - | - | - | - | \$250 |
| Mary Kenton, | - | - | - | - | - | 150 |
| Catharine McLaren, | - | - | - | - | - | 150 |
| Emeline G. Taylor, | - | - | - | - | - | 150 |

SECT. 2. That the sum of four thousand eight hundred and seventy-six dollars and thirteen cents be, and the same is hereby appropriated out of the income of the said residuary, and the sum of seven hundred and twenty-nine dollars and forty-two cents, out of the income of the fund appropriated for the improvement of the eastern front of the City and Delaware Avenue, for the purpose of paying the State tax assessed upon the said estate and fund for the year 1854.

SECT. 3. The warrants for the payment of the said appropriations shall be drawn by the Mayor.

APPENDIX No. 38.

To the Select and Common Council:

The Committee on the Girard Estates and the Girard College for Orphans, beg leave to present the annexed ordinance, and ask its adoption:

Your Committee would remark that, aware of the very great importance of guarding this munificent bequest by every check, they have given to the subject much careful

consideration, and, after submitting the Ordinance now before you to the City Solicitor and other eminent counsel, who have given their approval, they report it with the hope that Councils will take immediate action on it. The necessity for this arises from the fact that the bills for the college expenditures, which by contract are made payable monthly, cannot be paid until such action is had, and it is important that various business relating to the trust should be resumed as early as possible. They, therefore, respectfully ask for the action of Councils at this meeting.

A. G. Waterman, *Chairman*,
 A. S. Roberts,
 J. J. Boswell,
 O. P. Cornman,
 P. A. Keyser,
 Wm. O. Kline,
 Wm. P. Hacker,
 A. D. Caldwell.

Committee Room.

An Ordinance relating to the Supervision of the Girard Estates and the Girard College for Orphans.

SECTION 1. The Select and Common Councils of the City of Philadelphia do ordain, That there shall be an officer, to be called the Superintendent of the Girard Estates, to be elected by the Select and Common Councils, annually, in July. He shall be under the supervision and control of the Committee on the Girard Estates, and act as the Secretary of the Committee. He shall give bond, with two or more sureties, to be approved by the Select and Common Council, in the sum of fifty thousand dollars, conditioned for the faithful performance of his duties, as the same are hereby, or shall be hereafter, defined by the ordinances of the City of Philadelphia, for the true and faithful settlement of his accounts, at the expiration or other legal termination of his office, and for the delivery to his successor, or to such other person as Councils may at any time direct, of all monies, vouchers, documents, papers and other property appertaining to the Girard Estates, in his possession.

SECT. 2. He shall collect all money arising out of the personal estate bequeathed to the Mayor, Aldermen and Citizens of Philadelphia, by Stephen Girard, now vested in this corporation, and receive all money arising out of the real estate so devised and vested as aforesaid, and shall pay over the said monies daily to the City Treasurer, together with a written statement for whom and for what account the said amounts have been received; he shall keep full, clear, and accurate accounts of all monies received by him, and of all payments made by him to the said Treasurer, and furnish a written statement of the same to the City Controller; he shall open an account with each appropriation for each distinct object of expenditure made by Councils, credit each with the amount appropriated, and debit it with any warrants drawn against the same. And he shall at each stated meeting of the Committee, present a statement in writing, showing the amounts received by him, and the amount paid over.

SECT. 3. The investments now standing to the credit of particular trusts specified in the will of Stephen Girard, shall remain and continue as they now are, and the said Superintendent shall credit such trust funds with all sums received, and shall charge against them all sums paid therefrom.

SECT. 4 There shall be an officer for the collection of rents and repairs of real estate. He shall be called the Agent of the Girard Estates, and be elected by the Select and Common Councils annually in July. He shall, under the supervision of the Committee on Girard Estates, attend to the letting of the real estate in the City of Philadelphia, and shall collect the rents accruing therefrom, and pay daily to the Superintendent all that he may collect; he shall, under the supervision of the Committee on the Girard Estates, superintend the necessary repairs to the said real estate; and he shall report annually, in the month of December, to the said Committee, an estimate of the amount required for repairs during the coming year, specifying, as far as possible, the repairs that may be required for each separate property, and the estimated cost thereof, which, if approved by the Committee, shall be reported to Councils.

SECT. 5. He shall give bond, with two or more sureties, to be approved by the Select and Common Councils, in the sum of fifteen thousand dollars, conditioned for the faithful performance of the duties of his office.

SECT. 6. There shall be an officer, to be called the Agent of the Girard Farms, who shall be appointed by the Committee of Girard Estates, subject to the approval of Councils, and who shall inspect and superintend the farms belonging to the Girard Estates, visit the same to ascertain if the covenants on the part of the tenants are complied with; superintend all repairs authorized to be made thereon by said Committee; report from time to time to the Committee upon the subjects committed to his care, and perform such other duties as may pertain to his office.

SECT. 7. There shall be an agent for the lands in Schuylkill and Columbia counties belonging to the said estate. He shall be appointed by the Committee on Girard Estates, subject to the approval of Councils: he shall take charge of the said lands, attend to their proper assessment for the purpose of taxation, and prevent, as far as possible, all depredations thereon. In all matters in relation to the assessment of the said lands, and to trespasses on the same, he shall report to the Committee. He shall, as often as the said Committee shall direct, make such reports upon the state and condition of the lands, as they may require.

SECT. 8. There shall be a messenger, who shall be appointed by the Committee on Girard Estates, subject to the approval of Councils, whose duties shall be defined by the said committee.

OF THE GIRARD COLLEGE FOR ORPHANS.

SECT. 9. The Girard College for Orphans shall be managed by a board of sixteen directors, citizens of the City of Philadelphia, to be elected by Councils in the month of July, 1854, one half by each Council. Each branch of Councils shall, at the first election under this ordinance, elect

Two Directors for one year.

Two Directors for two years.

Two Directors for three years.

Two Directors for four years.

And annually thereafter, in the month of July, each branch of Councils shall elect two Directors to serve for four years.

SECT. 10. Any vacancy in the Board of Directors, arising from death, resignation, or the circumstance of any person elected declining to serve, becoming incompetent after being elected, shall be supplied by a special election by the Council by which such member or person was elected, to be held as early as convenient after such vacancy has occurred.

SECT. 11. The said Board of Directors shall manage the Girard College for Orphans in conformity with the Will of the late Stephen Girard, and with such and so much of any existing laws or ordinances as are now in force, and are not inconsistent herewith.

SECT. 12. The said Board shall have, possess, and exercise, all the powers which, by existing ordinances are conferred upon the Directors therein mentioned, and whenever any such powers are to be exercised jointly with, or in subordination to the Board of Commissioners of the Girard Estates, they shall be possessed and exercised by the Board of Directors singly and alone, provided that no alterations or repairs shall be made, or buildings erected, by the said Board of Directors, until the same shall have been laid before and be approved by the Committee on Girard Estates. *And provided further,* That no Orphan shall be indentured as an apprentice, until the Committee on the Girard Estates consent thereto.

SECT. 13. All bills for supplies to said College, or for payment of salaries, or for any purpose pertaining to the College, shall be certified by the President of the said Board of Directors, and attested by the Secretary, to the Superintendent of the Girard Estates, who shall lay the same before the Committee on Girard Estates, for examination and inspection, previous to drawing his warrant for the amount thereof on the City Treasurer, in favor of the person to whom the same is due. The said Board of Directors shall, in the month of December in each year, lay before the Committee on Girard Estates, an estimate of the amount that will be required for the support of the College for the coming year, stating the amounts under proper heads, and,

if approved by the Committee, the same shall be reported to Councils.

SECT. 14. The annual salaries of the officers named in this ordinance shall be as follows, payable quarterly:

| | |
|---|---------|
| Superintendent of Girard Estates, - - - - - | \$2,000 |
| Agent of Girard Estates, - - - - - | 1,200 |
| Agent of Girard Farms, - - - - - | 300 |
| Agent of Lands in Schuylkill and Columbia Co's, - - - - - | 600 |
| Messenger, - - - - - | 600 |

APPENDIX No. 39.

An Ordinance fixing the Salary of the Mayor of the City of Philadelphia.

The Select and Common Council of the City of Philadelphia, do ordain, That the Salary of the Mayor of the City of Philadelphia shall be \$6000 per annum payable quarterly.

APPENDIX No. 40.

To Select and Common Councils of the City of Philadelphia.

The Committee on Finance beg leave to submit the accompanying ordinance, and ask its adoption :

M. S. Wickersham, *Chairman.*
 W. P. Hacker,
 John U. Giller,
 W. H. J. Read,
 P. A. Keyser,
 Algernon S. Roberts,
 Wm. S. Smith,
 Wm. B. R. Selby,
 W. O. Kline,
 Wm. F. Smith,
 Edw. Gratz.

Committee Room, July 13th, 1854.

An Ordinance to make an Appropriation for the payment of Certain Claims for Labor.

SECTION 1. The Select and Common Councils of the City of Philadelphia do ordain, That the sum of one hundred thousands dollars be, and the same is hereby appropriated for the payment of claims for labor performed since June 1, 1854, by the authority of any of the Corporations, which by the Act of February 2, 1854, are consolidated into the Corporation of the City of Philadelphia.

SECT. 2. Warrants for the payment of the said claims shall be drawn by the City Commissioners, or two thereof, in the following form :

| | | |
|-----|---|---------------------|
| No. | DEPARTMENT OF THE CITY COMMISSIONERS, | 185 |
| | <i>Philadelphia,</i> | |
| To | City Treasurer, | |
| | Pay to | or order, |
| | dollars, for [here describe the kind of labor, and state the authority by which it was performed,] and charge the same to appropriation made by an Ordinance passed 1854, entitled "An Ordinance to make an appropriation for the payment of certain claims for labor." | |
| | | City Commissioners. |

Approved and countersigned,

City Controller.

Every warrant shall contain at the foot thereof a receipt in the following words :

"Received _____ of the City Treasurer, the amount mentioned in the above warrant, which is in payment for the purposes therein mentioned."

SECT. 3. The City Commissioners before the issuing of any warrant aforesaid, shall require from the person in whose favor the same is required, a bill, to be signed by him, wherein the item or items which compose the sum for which the warrant is to be drawn, shall be set out, and which bill shall be presented to the Controller, with the warrant, and filed by him. And the said Commissioners, at the time of the issue of such warrant, shall take and keep a receipt for the same, wherein shall be specified its number, amount and date, and the services for the payment of which it was

issued. *Provided*, That no warrant shall be issued until the bill before mentioned shall undergo the supervision of the Committee on the District wherein the Corporation by whose authority the labor was performed was located.

APPENDIX No. 41.

To the Officers and Members of the Select and Common Council of the City of Philadelphia

We, your Committee, to whom was referred the petition of Dr. Joseph R. Rowe, and others, calling the attention of Councils to the unhealthy condition of a portion of the City, beg leave to report:

That we met July 17th, and were waited upon by Dr. Isaac Kline and Dr. Joseph Murray, two eminent physicians of the neighborhood, who, in company with your Committee, examined the infected district.

We found four distinct causes of disease. The first and greatest cause of complaint is, the number of ponds of stagnant water filled with animal and vegetable matter in a half decomposed position. This alone, the physicians informed the Committee, is a sufficient source of disease to inoculate the entire City, and should this warm weather continue there is no doubt but the disease must rapidly increase.

The second cause is the great number of slaughter-houses, hogs and hog-pens, in the district complained of. In some of the unpaved streets nearly every house have at least one hog-pen in the yard, and some as high as five or six, with the corresponding number of hogs. These pens are so constructed as to allow the hogs to run the streets, during the day and are confined at night, which greatly increases the unhealthy condition of the neighborhood.

The third cause is the unpaved streets, which your Committee found in a most deplorable condition, not arising from the neglect of the public officers, but owing entirely to the fact that unpaved streets in the populous part of the

City, cannot by any care be kept in a proper condition of cleanliness, which is absolutely necessary for the health of the neighborhood.

The fourth and last cause of complaint, and one requiring the action of Councils, is the condition of the cellars of the houses in Oxford street, west of Howard, they are damp, and many of them half full of water. This nuisance your Committee was informed by the physicians, cannot be remedied except by a culvert which will afford the means of draining the cellars along these streets, and until that is done, in all probability this neighborhood will be visited by some infectious disease.

Your Committee deem it proper to report fully the facts, in order to enable Council to adopt such measures as they in their wisdom may think proper.

All of which is respectfully submitted by

C. B. F. O'Neill, *Chairman.*

A. W. Green,

John S. Painter,

John Dubree,

Committee.

APPENDIX No. 42.

The Committee to whom was referred the following:—
 “*Resolved*, That a Committee be appointed to ascertain by whose authority, or by what right, or in virtue of what act, the Directors of the Philadelphia, Wilmington, and Baltimore Railroad Company run the locomotive on Washington Street, through the Second Ward,”—submit the following answer given by S. M. Felton, Esq., President of the Company, who met, by invitation, the Committee:

The Philadelphia, Wilmington, and Baltimore Railroad Company do not claim the right to run a locomotive, nor do they run a locomotive, east of Broad Street, in the City of Philadelphia.

The Southwark Railroad Company—a separate and distinct corporation—have hired, for a stipulated sum per mile,

to run, with passengers and freight, locomotives and cars of the Philadelphia, Wilmington, and Baltimore Railroad Company, and run them under the direction of their own officers and men, over their own road between Broad Street and the River Delaware.

The Committee would state that two of the directors of the Southwark Railroad Company were present at the Committee Room, with the opinion of the following gentlemen of the legal profession, viz.: Messrs. Hazelhurst, Campbell, and Jacob Broom, Esqrs.; but, as their opinions pertained not to the subject-matter embraced under the resolution, was not considered by your Committee.

Respectfully submitted,

John A. Mercer,
Wm. B. R. Selby,
P. A. Keyser,
H. Bumm,
Algernon S. Roberts,
Committee.

July 13th, 1854.

APPENDIX No. 43.

To the President and Members of Common Council:

GENTLEMEN:—

The Committee of members comprising the 13th, 14th, and 15th Wards, at a meeting held at the Spring Garden Hall on the evening of the above date, acted upon the following petitions, and bills for labor:

One petition to Board of Health, from citizens, complaining of a nuisance in Carlton Street, east of Fifteenth; also one of like import in reference to a nuisance at the corner of Ninth and Mellon Streets.

Both have been so declared by the Board of Health, referred to sub-Committee with power to act.

Bills presented, being duly certified, were examined and found to be correct, hereto annexed.

| | |
|---|------------------------------------|
| John Snyder, carpenter work, &c., - - - | \$10 00 |
| Pay Roll Watering Com, S. G., No. 27, - - | 78 08 |
| “ “ “ “ “ “ No. 28, - - | 72 67 |
| “ “ Joint. Com. N. L. & S. G., No. 19, - | 275 87 |
| “ “ “ “ “ “ No. 20, - | 454 93 ³ / ₄ |
| “ “ Gas “ “ “ “ - - | 1001 53 |
| “ “ Streets and highways, cleaning, - | 181 84 |
| “ “ Culvert Committee, - - - - | 600 50 |
| “ “ Paving, - - - - - - - | 923 25 |
| “ “ Streets and highways, - - - - | 539 91 |
| Bill for coal (gas works), - - - - | 3311 63 |
| | <hr/> |
| | \$7350 22 |

The above bill for coal, according to contract, to be paid for with notes at four months from delivery, All of which is respectfully submitted.

JONATHAN BULLOCK,
Chairman.

Attest, Wm. Larzalere,
Secretary.

APPENDIX No. 44.

Title V.—Of the Department of the City Controller.

SECT. 1. The Select and Common Council of the City of Philadelphia do ordain, That the head of this Department is the City Controller. He shall, before entering upon his office, take and subscribe an oath or affirmation before the Mayor, faithfully to discharge the duties thereof.

SECT. 2. The City Controller shall superintend the fiscal concerns of the City, and shall manage the same in the manner required by the laws of this State, and the ordinances and resolutions of the City Councils.

SECT. 3. He shall keep a regular set of books, in which shall be opened and kept as many accounts, under appropriate titles, as may be necessary to show, distinctly and separately, all the estate and property whatsoever, real and personal, vested in the City by law or otherwise, all trusts

in the care of the same, all debts due to and owing by the City, all the receipts and expenditures in the various departments of the City, and all appropriation made by the City Councils, and the sum expended under the same respectively.

SECT. 4. He shall, from time to time, and as often as he may deem necessary, or the City Councils shall direct, suggest plans to the Councils for the improvement and management of the City finances.

SECT. 5. He shall have the supervision and control of the fiscal concerns of all departments, bureaux, and officers of the City, who shall collect, receive, or disburse the public monies, or who are charged with the management or custody thereof, and may at any time require from any or all of them an account, in writing, of any and all monies or property of the City in their hands or under their control; and he shall immediately upon the discovery of any default or delinquency report the same to the City Councils.

SECT. 6. He shall countersign all warrants on the City Treasurer, and shall not suffer any appropriation made by the City Councils to be overdrawn. Every case in which an appropriation shall be exhausted, and the object of which is not completed, he shall immediately report to the City Councils, and accompany such report with a statement of the monies which have been drawn on such appropriation, the particular purposes for which they were drawn, the cause of the deficiency, and an estimate of the amount that will be necessary to complete the object of the appropriation. Whenever a warrant on the Treasury shall be presented to him to be countersigned, the person presenting the same shall, if the Controller require, produce evidence, that the amount expressed in the warrant is due to the person in whose favor it is drawn.

SECT. 7. He shall perform all the duties now enjoined on the County Auditors by the laws of this State, and shall scrutinize, audit, and settle all accounts whatever in which the City is concerned, either as debtor or creditor, where provision for the settlement thereof is made by law; and where no such provision, or an insufficient provision, has been made, he shall examine such accounts, and report to

the City Councils the facts relating thereto, with his opinion thereon.

SECT. 8. He shall make a report, verified by oath or affirmation, to the City Councils, at their first stated meeting in January, in each year, of the public accounts of the City, and of the trusts in their care, exhibiting all the receipts and expenditures of the City, the sources from which the revenue and funds are derived, and in what manner the same have been disbursed, each account to be accompanied by a statement in detail, in separate columns, of the several appropriations made by Councils, the amount drawn on each appropriation, and the balance standing to the debit or credit of such appropriation. And he shall publish said report in two or more newspapers, as required by the twelfth section of the Consolidation Act of July 2, 1854.

SECT. 9. He shall report to the City Councils, within sixty days after he enters upon the discharge of his duties, a statement of all the lands, tenements, hereditaments, bridges, ferries, railroads, wharves, markets, stalls, landings, landing-places, water-works, gas-works, buildings, easements, franchises of, in, and to all goods, chattels, monies, effects, debts, dues, demands, amercements, fees, perquisites, rights, income, bonds, obligations, judgments, liens, actions, and rights of action, books, accounts, and vouchers, and of, in, and to all other property and estate whatsoever and where-soever, belonging to any or either of the several Townships or Districts, and other Municipal Corporations of Philadelphia, and of all trusts held by the same, and vested in the City of Philadelphia by the Consolidation Act of February 2, 1854, and also a statement of all contracts made by any of said Townships, Districts, or other Municipal Corporations, directed or authorized by the authorities of the same, and not performed or completed, or upon which any money remains unpaid, with the amount of money so remaining unpaid on each. And it shall be his duty to report to City Councils a like statement within thirty days of the organization of the Councils in each year.

SECT. 10. He shall communicate, in writing, to the City Councils, on or before the first day of February in each year, a detailed estimate of the receipts and expenditures for the current fiscal year.

SECT. 11. He shall have one Principal Clerk, four Assistant Clerks, and a Messenger, all of whom shall be appointed by and with the advice and consent of Select Council, and perform such duties as he shall assign them. The Clerks shall be sworn or affirmed, in like manner as the Controller, to discharge their duties faithfully.

SECT. 12. The salaries of the officers in this Department shall be as follows, payable quarterly :

| | | | | | | |
|--------------------|---|---|---|---|---|---------|
| Controller, | - | - | - | - | - | \$3,500 |
| Principal Clerks, | - | - | - | - | - | 1,200 |
| Four Clerks, each, | - | - | - | - | - | 1,000 |
| Messenger, | - | - | - | - | - | 600 |

Passed, July 18th, 1854.

APPENDIX No. 45.

To the Select and Common Council of the City of Philadelphia :

The Committee on Finance of the Select and Common Councils of the City of Philadelphia, beg leave to submit the accompanying Ordinance relative to taxes in the following boroughs and townships, viz : Roxborough, Germantown Borough, Upper Ward Germantown, Bristol, Frankford Borough, Whitehall, Oxford, Delaware, Lower Dublin, Moreland and Byberry.

M. S. Wickersham, *Chairman*,
 W. O. Kline,
 Wm. F. Smith,
 John U. Giller,
 Wm. B. R. Selby,
 W. H. J. Read,
 Edward Gratz.

Committee Room, July 27, 1854.

APPENDIX No. 46.

To the Select and Common Councils of the City of Philadelphia:

The Committee on Finance of the Select and Common Councils of the City, beg leave to report the following Supplement to an Ordinance, approved July 14th, 1854, making an appropriation for the payment of certain claims for labor.

M. S. Wickersham, *Chairman*,
 John U. Giller,
 Wm. S. Smith,
 Wm. B. R. Selby,
 P. A. Keyser,
 W. O. Kline,
 Wm. F. Smith,
 Edw. Gratz.

Committee Room, July 27th, 1854.

A Supplement to an Ordinance, approved July 14th, 1854, entitled "An Ordinance to make an Appropriation for the Payment of certain Claims for Labor:

SECT. 1. The Select and Common Councils of the City of Philadelphia do ordain, That the Ordinance to which this is a Supplement, shall be held to apply to the payment of claims for wages, monthly salaries, and for materials, except where the same have been furnished by contract, and of the following claims: The sum of eight thousand four hundred dollars, for payment of jurors and tipstaves of the several courts, for election expenses, cleansing and repair to court houses, making out and indexing tax duplicates and indexing assessors books; the sum of four thousand six hundred and forty-four dollars and fifty-four cents, for coal used in the Gas Works belonging to the late District of Spring Garden; the sum of nineteen hundred and sixty dollars due to Henry Bickley for cleansing; the sum of thirty-five dollars for the use of the Washington Brass Band on the 4th of July last; the sum of nine dollars and three cents due the Richmond Gas Company for gas furnished to the Market House in the District of Richmond.

Approved this 28th day of July, A.D. 1854.

APPENDIX No. 47.

To the President and Members of Select and Common Council:

The undersigned, Committee on Finance, beg leave to submit the following ordinance, entitled "An ordinance referring to the various departments of the City government," and ask its adoption.

M. S. Wickersham, *Chairman.*
 W. S. Smith,
 W. P. Hacker,
 J. U. Giller,
 P. A. Keyser,
 E. Gratz,
 W. H. J. Reed,
 W. B. R. Selby,

Committee Room, July 27, 1854.

APPENDIX No. 48.

WHEREAS, In assessing the value of property subject to taxation, in the City and several Districts, Boroughs, and Townships, now composing the City of Philadelphia, various standards of valuation have been heretofore adopted by the assessors, by reason of which the property in the present City is assessed unequally, and much of it greatly below the real value thereof, thereby lessening the revenue of the City, and operating oppressively, in compelling those subject to the highest valuation to pay more than their just proportion of taxes;

And whereas, By the thirteenth section of the Act of Consolidation, entitled "An act to incorporate the City of Philadelphia," the City Commissioners, City Treasurer, and Receiver of Taxes, are constituted a County Board of Revision; Therefore

Resolved, That the City Commissioners, City Treasurer, and Receiver of Taxes, being the County Board of Revision, be instructed to report to Councils what proportion the assessed value of property in the City and each of the several Districts, Boroughs, and Townships, now comprising the City of Philadelphia, bear to the real or actual value of the same, so that measures may be taken to obtain an equal standard of assessment throughout the City.

APPENDIX No. 49.

To the Select and Common Council:

The Committee on Finance report that, in conjunction with the City Solicitor, they have examined the security offered by the City Treasurer, and are satisfied of its sufficiency.

M. S. Wickersham, *Chairman*.
 Wm. F. Smith,
 Wm. B. R. Selby,
 Wm. S. Smith,
 P. A. Keyser,
 O. P. Cornman,
 W. P. Hacker,
 W. O. Kline,
 Isaac Hazlehurst, *City Solicitor*.

Committee Room, July 28, 1854.

APPENDIX No. 50.

To the Select and Common Council of the City of Philadelphia:

The Committee on Finance beg leave to submit herewith a communication from John M. Coleman, Receiver of Taxes, offering as his securities Paul Thurlow and Joseph B. Hughes.

They have examined, in conjunction with the City Solicitor, as to the responsibility of the parties.

M. S. Wickersham, *Chairman*.
 Wm. R. B. Selby,
 Wm. S. Smith,
 P. A. Keyser,
 O. P. Cornman,
 W. P. Hacker,
 W. O. Kline,
 Wm. F. Smith,
 Edw'd Gratz,
 Isaac Hazlehurst, *City Solicitor*.

Committee Room, July 28, 1854.

APPENDIX No. 51.

To the Select and Common Council of the City of Philadelphia:

The Committee on Finance beg leave to submit the accompanying ordinance, making an appropriation to the Guardians of the Poor, and ask its adoption.

M. S. Wickersham, *Chm'n*.
 Wm. F. Smith,
 Edw'd Gratz,
 John U. Giller,
 Wm. S. Smith,
 P. A. Keyser,
 W. O. Kline,
 O. P. Cornman,
 Wm. B. R. Selby,
 W. H. J. Read.

An Ordinance making an Appropriation to the Guardians of the Poor.

SECTION 1. The Select and Common Councils of the City of Philadelphia do ordain, That the sum of twenty thousand dollars be, and is hereby, appropriated to the Guardians of the Poor to defray expenses of salaries and supplies.

APPENDIX No. 52.

CONTROLLER'S OFFICE,)
 August 17th, 1854. }

To the Common Councils of Philadelphia.

GENTLEMEN :

At a meeting of Councils held on July 14th, 1854, an Appropriation was made of one hundred thousand dollars for the payment of certain claims for labor. I countersigned warrants to pay rolls due to laboring men since June 1st, 1854, until the 27th day of July, at which time Councils passed a Supplement which was held to apply to the payment of claims for wages, monthly salaries, and for materials, except where the same have been furnished by contract, and the following claims, namely: the sum of eight thousand four hundred dollars for the payment of jurors and tipstaves of the several courts, for election expenses, cleansing and repairing Court Houses, making out and indexing tax duplicates and indexing assessor's books; the sum of four thousand six hundred dollars and fifty-four cents for coal used in the Gas Works belonging to the late District of Spring Garden; the sum of one thousand nine hundred and sixty dollars due to Henry Bickley for cleansing streets; the sum of thirty-five dollars for the use of the Washington Brass Band on the fourth day of July last, and the sum of nine dollars and twenty-three cents due the Richmond Gas Company, for gas furnished to the Market House. After deducting the amount named in the Supplement, which is fifteen thousand and forty-eight dollars and fifty-seven cents, it reduced the original appropriation to eighty-four thousand nine hundred and fifty-one dollars and forty-three cents for labor. On the 10th day of August a further Supplement was passed, holding the same to apply to the payment of quarterly salaries which became due July 1st, 1854. Salaries of police and watchmen due on the 1st day of August. I have, in accordance with the ordinances, signed all warrants for the aforesaid purposes, which makes the appropriation for labor nearly exhausted. The follow-

ing are the several appropriations and the amounts drawn on the same :

| | |
|--|--------------|
| Highways, - - - - - | \$36,647 37 |
| Gas, - - - - - | 2,087 30 |
| Culverts, - - - - - | 1,236 42 |
| Salaries, - - - - - | 1,881 76 |
| City Railroad, - - - - - | 269 19 |
| Carpenter work, - - - - - | 79 69 |
| Sundry bills for materials of various kinds, - - - - - | 28,786 72 |
| Iron pipes, - - - - - | 4,107 91 |
| Nathaniel Knowles, for coal, - - - - - | 4,644 50 |
| Henry Bickley, for cleansing, - - - - - | 1,960 00 |
| Washington Brass Band, - - - - - | 35 00 |
| Court officers, jurors, &c., - - - - - | 8400 00 |
| Marshal's police, - - - - - | 7,918 46 |
| Moyamensing watchmen - - - - - | 930 83 |
| Richmond Gas Company, - - - - - | 9 03 |
| | <hr/> |
| | \$99,994 18 |
| Appropriation, - - - - - | \$100,000 00 |
| | <hr/> |

Leaving a balance of appropriation amounting to \$5 82.

Respectfully submitted in accordance with an Ordinance passed July 25th, 1854.

JOHN N. HENDERSON,
City Controller.

APPENDIX No. 53.

To the Select and Common Councils of the City of Philadelphia.

GENTLEMEN :

We the undersigned, the Engineers and Contractors for the West Philadelphia (now the 24th Ward,) Water Works, would respectfully call your attention to our account, and ask that some arrangement may be made by which we can

procure an early settlement and payment of such an amount as may be due us.

We would not thus intrude upon your attention, but that we have been doing a large amount of work for the City, and necessarily making very heavy expenditures. We have pushed the work with energy, and employed a large force upon it up to the 15th of July last, and since then have, and now are employing a number of hands upon the same.

The amount due us (as far as examined by the appraisers mutually appointed,) on the 13th of July last, was \$48,172 30; since which time until the 22d of this month, \$6,892 46 has been expended. We have paid for nearly all the work and material, and can assure you there is not \$2000 unsettled by us upon the works.

Under the present state of the money market, we find it exceedingly difficult to sustain ourselves with such an amount of capital invested in this operation.

We are anxious to complete the works, and as the season is advancing we feel desirous to get our building enclosed so that we may finish during the coming winter, to accomplish which, it will be necessary to push the work, and trust you will render us your early assistance to do the same.

Very respectfully, yours.

BIRKINBINE & TROTTER,
No. 16 Arch Street.

Philadelphia, August 24th, 1854.

APPENDIX No. 54.

CITY TREASURER'S OFFICE, }
Philadelphia, Aug. 24th, 1854. }

To the Common Council of the City of Philadelphia.

GENTLEMEN:—In accordance with the resolution of Councils of the 18th of July, 1854, due notice has been given to the holders of claims, orders or due bills of the municipalities, districts, boroughs and townships, comprised within the limits of the Consolidated City.

And the amount of said claims, &c., &c., as presented at this office to this date is as follows:

CITY OF PHILADELPHIA,

| | | |
|-------------------|----------|----------|
| Orders, - - - - - | \$106 00 | |
| Claims, - - - - - | 169 88 | |
| | <hr/> | \$275 88 |

SOUTHWARK,

| | | |
|-------------------------|-------------|-------------|
| Orders, - - - - - | \$11,280 68 | |
| Claims, - - - - - | 14 51 | |
| Grover Trust, - - - - - | 107 94 | |
| | <hr/> | \$11,403 31 |

NORTHERN LIBERTIES,

| | | |
|-------------------------------|------------|-------------|
| Orders, - - - - - | \$4,783 86 | |
| Claims, - - - - - | 84 65 | |
| Protested note, - - - - - | 5,000 00 | |
| Note due Sept. 1st, - - - - - | 4,000 00 | |
| | <hr/> | \$13,868 51 |

SPRING GARDEN,

| | | |
|------------------------------|-------------|--------------|
| Notes, - - - - - | \$45,990 19 | |
| Claims, - - - - - | 3,587 67 | |
| Bonds over due, - - - - - | 30,000 00 | |
| Bonds due in 1854, - - - - - | 78,100 00 | |
| | <hr/> | \$157,677 86 |

KENSINGTON,

| | | |
|---------------------------|-------------|-------------|
| Orders, - - - - - | \$31,056 45 | |
| Claims, - - - - - | 125 00 | |
| Notes, - - - - - | 34,262 89 | |
| Loans over due, - - - - - | 16,000 00 | |
| | <hr/> | \$81,444 34 |

MOYAMENSING,

| | | |
|----------------------------|-------------|-------------|
| Orders, - - - - - | \$47,335 08 | |
| Claims, - - - - - | 21,247 05 | |
| Protested notes, - - - - - | 4,632 23 | |
| Loans over due, - - - - - | 11,000 00 | |
| | <hr/> | \$84,214 36 |

| | | |
|-------------------------|-------|--------------|
| Amount carried forward, | <hr/> | \$348,884 26 |
|-------------------------|-------|--------------|

| | | |
|------------------------------|---------------------|--------------|
| | Amount brought over | \$348,884 26 |
| RICHMOND, | | |
| Orders, - - - - - | \$87 00 | |
| Claims, - - - - - | 207 90 | |
| Loans over due, - - | 1,100 00 | |
| Loans due in 1854, - | 1,503 62 | |
| | <hr/> | \$2,898 52 |
| FRANKFORD, | | |
| Orders, - - - - - | \$1,400 00 | |
| Claims, - - - - - | 952 63 | |
| Notes, - - - - - | 6,030 00 | |
| | <hr/> | \$8,382 63 |
| GERMANTOWN, | | |
| Orders, - - - - - | \$129 00 | |
| Claims, - - - - - | 162 65 | |
| | <hr/> | \$291 65 |
| MANAYUNK, | | |
| Orders, - - - - - | \$247 86 | |
| Poor, - - - - - | 14 66 | |
| | <hr/> | \$272 52 |
| WEST PHILADELPHIA, | | |
| Orders, - - - - - | \$15,177 17 | |
| Claims, - - - - - | 1,693 65 | |
| Gas Works, - - - - - | 1,022 32 | |
| | <hr/> | \$17,893 14 |
| DISTRICT OF PENN, | | |
| Orders, - - - - - | \$1,505 97 | |
| Claims, - - - - - | 364 69 | |
| | <hr/> | \$1,870 66 |
| BRIDESBURG, | | |
| Corporation notes, - - - - - | | \$2,530 00 |
| | | <hr/> |
| Amount carried forward, | | \$373,023 38 |

Amount brought over, \$373,023 38

KINGSESSING,

Balance due officers, - - - - - 563 37

BELMONT,

Orders, - - - - - 1,079 65

WHITEHALL,

Note with interest, - - - - - 447 93

COUNTY OF PHILADELPHIA,

| | | |
|---------------------|------------|-------------|
| Orders, - - - - - | \$3,697 38 | |
| Claims, - - - - - | 414 56 | |
| Road damages, - - - | 12,453 75 | |
| | <hr/> | \$16,565 69 |

PUBLIC SCHOOLS,

Orders, - - - - - 15,108 25

EASTERN PENITENTIARY,

Order for support, - - - - - 3,958 32

GUARDIANS OF THE POOR,

Ground rent, - - - - - 90 00

\$420,840 59

I have also been notified of the following:

SOUTHWARK,

| | |
|---|-------------|
| Mortgages against the Jefferson } Public Square, } | \$75,000 00 |
|---|-------------|

FRANKFORD,

| | |
|---|-----------|
| Mortgage and ground debt of } Public Hall and lot, } | 12,000 00 |
|---|-----------|

Amount carried forward, \$507,840 59

| | | |
|-----------|---|--------------|
| | Amount brought over, | \$507,840 59 |
| MANAYUNK, | | |
| | Mortgage against Poor House, } Roxborough, | 2,987 79 |
| | Total registered to August 24th, | \$510,828 38 |
| | Respectfully submitted, | |
| | JOHN LINDSAY, | |
| | <i>City Treasurer.</i> | |

APPENDIX No. 55.

To the Select and Common Councils :

The Committee on Highways, Bridges, Sewers, and Cleansing, to whom was referred by Councils the following report and resolution:

S. Copeland, *Chairman.*
 Charles Hubbard,
 Henry C. Pratt,
 P. A. Keyser,
 I. N. Marselis,
 B. R. Miller,
 Nathan Hilles,
 Thos. T. Butcher,
 C. J. Hoffman.

COMMON COUNCIL CHAMBER, }
Philadelphia, August 22, 1854. }

At a meeting of the Select and Common Council, held this day, the following resolution was adopted:

To the Select and Common Councils of the City of Philadelphia.

GENTLEMEN:—The undersigned, to whom was referred the communication from the Board of Health, of July 11th last

passed, concerning the Thompson Street Culvert, with power to act, would respectfully report:

That understanding that the Board of Health had determined, after their notice as above, to take the matter in their own hands, and as your committee were impressed with the intent to construct said culvert, your committee deferred any action in the premises, awaiting the action of said Board of Health; since then the Board of Health have filled up various parts of said culvert, in places where the water had collected and stagnated, and have left the matter to stand.

Your committee would state that a portion of said culvert on Thompson Street, west of Eleventh, for a distance above Twelfth Street, has been excavated to a considerable depth; the banks of the Streets were not protected, and in consequence the ground is caving in on both sides of Thompson Street, to the line of the houses built on said Street, and renders the property in the aforesaid location liable to great damage arising from a sudden rain or storm, it being the opinion of your committee that the property is in danger of being undermined, and as the season is approaching when it will be highly dangerous to leave the street in its present unsafe condition, and as the only remedy that can be applied is to construct the culvert in said locality, and though your committee were vested with power to act, yet we have considered it proper to submit the matter to Councils, before proceeding further.

Your committee would beg leave to offer the following resolution and ask its adoption:

Resolved, That the report and resolution be referred to the Committee on Highways, with power to take immediate measures, under advice of the City Solicitor, to cause the construction of the culvert, and that the committee be requested to report, at the next regular meeting of Councils, the measures they intend to pursue.

All of which is respectfully submitted.

J. L. HUTCHINSON,

Chairman of Committee of 20th Ward.

Philadelphia, August 17, 1854.

Report thereon :

That the Commissioners of Penn District were authorized by an Act of the General Assembly, approved February 20th, 1852, to construct a culvert in Thompson Street, beginning at such point or points, and extending along the line of the street such distances as they might deem advisable, and to provide the means of payment therefor by a loan or otherwise. The Act provided that this authority should be exercised by the votes of a majority of the Board of Commissioners; and that at least thirty days' notice should be given in one or more daily papers, inviting proposals for the work to be done, and that at the expiration of the notice the proposals should be opened by the committee appointed by the Board, and the work allotted to the lowest and best bidder or bidders, either in whole or in sections, if a majority of the Board agreed thereto.

The Board, by an Ordinance passed April 20th, 1852, provided for the construction of the culvert in Thompson Street

In the year 1853, two contracts were made, having for their end the construction of this culvert. Neither of these were carried into effect; one by reason of the contractor failing to comply with his covenants, and the other, being set aside by competent authority, because the requisite notice for proposal had not been given.

On the first of March, 1854, the Board of Commissioners passed a resolution, inviting proposals for the construction of the culvert in conformity with the provisions of the Act of Assembly of February, 1852. The Committee on Culverts, accordingly made the advertisements required, and various proposals were received, which were opened on the 3d of April, 1854.

The proposal of Messrs. Thomas Ryan, George Blackbyrne and Thomas S. Davis was accepted, and the work allotted to them by the committee, subject to the approval of the Board of Commissioners. This body, at a meeting held April 6th, 1854, by a vote of five yeas to three nays, agreed to the action of the committee.

A bill in equity was filed by certain inhabitants of the District of Penn, praying for an injunction to restrain the Commissioners of the District from proceeding to cause the culvert to be built, on the allegation that the sixth section of the Act to consolidate the city and districts into one corporation, restrained the District authorities from entering into any such or any contract.

Before the hearing of the motion for an injunction, the following Act of Assembly was passed, on the 28th of April, 1854:

“That the Commissioners of the District of Penn, by a majority of the Board, be and they are hereby authorized to complete the culvert in Thompson Street, and to provide means for the payment of the same, and that all allotments of said work already made be and they are hereby confirmed.”

In May, contracts were entered into between the District and the gentlemen whose proposals had been accepted, as before mentioned. The application for an injunction was still persisted in, and was heard by the Court on the 26th of the month last named. Upon the next day, the injunction was granted, on the ground that subsequently to the passage of the Act of Assembly of the 28th of April, the Board of Commissioners had not, by a vote of the majority of all the members, confirmed the allotment before made.

The Board, on June 1st, by an affirmative vote of eight members, being a majority of the whole number of the Commissioners, passed the following resolution:

Resolved, That this Board do hereby accept and approve of all the provisions of an Act of Assembly entitled “An Act relative to Culverts in the District of Penn, Philadelphia County,” passed the twenty-eight day of April, A. D. one thousand eight hundred and fifty-four, and do hereby direct the Culvert on Thompson Street to be forthwith completed, and that the allotments for said work already made to Thomas S. Davis, George Blackbyrne and Thomas Ryan, according to their respective portions of the same, and expressly confirmed by the said Act of Assembly, be, and they are hereby approved, ratified and confirmed by this Board; and also all contracts made with said contractors in pursu-

ance of said allotments. And in pursuance of the said Act of Assembly, this Board do hereby direct that payment of the same shall be made out of the loan authorised to be raised by "An Ordinance for constructing a Culvert on Thompson Street, from Delaware Sixth to Schuylkill Sixth Streets," &c., passed April the 20th, 1852.

Resolved, That the contractors for the Culvert on Thompson Street be, and they are hereby authorized and directed to proceed and finish their Culverts along Thompson Street, according to plan and specifications, and in compliance with their contracts. And the President and Treasurer be, and they are hereby directed to issue bonds in accordance with the same from the measurement of Henry Haines, Surveyor of the District.

Whereupon, The Court upon the application of the Commissioners, dissolved the injunction.

The contractors proceeded to execute their covenants, when they received from the City Solicitor a notice, by direction of Councils, that all work done by them in the premises would be at their own cost and peril, and would not be recognized as a claim against the City.

Councils in justice to their constituents and to the contractors, much desire either to allow the latter to proceed under the contracts made by the District of Penn with them, or to make some other arrangement to complete the Culvert.

That the construction of the Culvert is demanded by regard to public health and convenience, has not been questioned, and the Committee have considered only the liability of the Corporation to the contractors.

In regard to this they have had no doubt, and they are confirmed by the opinion of the City Solicitor, which they herewith present.

They, therefore, offer the following resolution:

Resolved, That Messrs. Ryan, Blackbyrne and Davis, be required to proceed without delay, to construct and build the Culvert in Thompson Street, according to their covenants in their contract with the Commissioners of Penn District, dated May 1, 1854, and that the execution of the same

shall be superintended and inspected by the Chief Commissioner of Highways, subject to the supervision of the Committee of Highways, Bridges, Sewers and Cleansing,

CITY SOLICITOR'S OFFICE, }
Philadelphia, August, 24th, 1854. }

I have examined the contract between Thomas S. Davis & Co., and the late District of Penn, dated May 1st, 1854, relative to the Thompson Street Culvert: also, the several Acts of Assembly under which the construction of the said Culvert was authorized; and the action of the late Board of Commissioners of the District of Penn, in reference to the contract in question.

I am of the opinion that the contract entered into on the first day of May, 1854, between the District of Penn and Thomas S. Davis & Co., relating to the construction of a Culvert in Thompson Street, is a legal contract and binding on the City of Philadelphia.

ISAAC HAZELHURST,
City Solicitor.

APPENDIX No. 56.

To the President and Members of the Councils of the City of Philadelphia.

GENTLEMEN: The Committee to whom was referred the resolution to make inquiry by what authority the "Southwark Railroad Company" run locomotives on Washington Street, through the Second Ward, passed July 18, respectfully report: That they had a meeting on the 15th August, the President of the Southwark Railroad Company, S. M. Felton, Esq., being present with the Committee, with the necessary documents pertaining to the information required, which are condensed and embodied in this report.

By an Act authorizing the Governor to incorporate the Philadelphia and Delaware County and Southwark Railroad Companies, passed the second day of April, 1831; the 22d section reads thus:

And be it further enacted by the authority aforesaid, That Thomas D. Grover, John Pierce, James McCann, William G. Alexander, Joseph Burden, Philip Peetz, F. A. Raybold, Joseph Solms, George M. Hickling, and John Crean, are hereby appointed Commissioners, who may fill any vacancy occurring in their body, who are hereby authorized to receive subscriptions to a company, to be known by the name and style of the "Southwark Railroad Company;" the amount of stock of said Company not to exceed two hundred thousand dollars, at fifty dollars a share; the company to be subject to all the restrictions, and entitled to all the provisions and privileges, contained in the preceding sections of this Act; and when one thousand shares, or more, shall be actually subscribed, and five dollars on each share paid to said commissioners, and a certificate thereon shall have been made, under oath or affirmation, to the Governor, he shall, by letters patent, under his hand and seal of the Commonwealth, create and erect the subscribers into a body corporate and politic, in deed and in law, by the name and style of the "Southwark Railroad Company," who are hereby authorized to construct a railroad, of one or more tracks,

from the river Delaware, in the District of Southwark, and thence through the County of Philadelphia to Broad and Cedar Streets, in such direction as they shall deem best to connect with the termination of the City Railroad: *Provided*, That said Company shall be, and are hereby empowered to construct a railroad from Broad Street, in the County of Philadelphia, to the river Schuylkill.

Section fifth of a "Supplement" to the above Act, passed March 15th, 1836, reads:

The corporate name of the said Philadelphia and Delaware County Railroad Company is hereby changed to that of the Philadelphia, Wilmington and Baltimore Railroad Company, and under the latter name shall be entitled to the privileges and subject to the liabilities and restrictions of the said company under its present name.

By a Supplement, passed 1839, entitled "An Act to Incorporate the Middleport and Pine Creek Railroad Company," and for other purposes. Passed by the Legislature of Pennsylvania.

SECTION 5. And be it further enacted, &c., That the President and Directors of the Philadelphia, Wilmington and Baltimore Railroad Company, and the President and Directors of any other Railroad Company, are hereby authorized and empowered to unite such Railroads as are constructed and terminate in the County of Philadelphia, the location of which is hereby confirmed, (by curves, switch, turning platforms, or otherwise,) so as to form a continuous line of railroad with railroads of other companies in this Commonwealth.

Your Committee having received and read the opinions of Isaac Hazlehurst, St. George T. Campbell and Jacob Broom, Esqrs., deem it proper to embrace them in their report.

The Southwark Rail Road Company was incorporated on the 2d day of April, 1831.

The company was authorized to construct a railroad of one or more tracks, from the river Delaware in the District of Southwark, and thence through the County of Philadel-

phia to Broad and Cedar Streets, in such direction as they should deem best to connect with the City Railroad, and in pursuance of this authority their present railway was located.

The company is, by the terms of their Charter, made subject to all the restrictions and is entitled to all the provisions and privileges of the several sections of the act incorporating the "Philadelphia and Delaware County Railroad Company." By the tenth section of the Act of Incorporation of the last named company, thus expressly forming portion of the charter of the Southwark Railroad Company, they are authorized to make, construct, and erect, such warehouses, toll-houses, carriages, cars, and *all other works and appendages necessary for the conveniences of the said Company* in the use of the said railroad. Under the powers thus given to the Southwark Railroad Company, we are of the opinion that that Company has full authority by law to run carriages propelled by steam on the line of their road. We find nothing in their charter to restrict them as to the mode in which the Company may use their road within the District of Southwark.

It is proper to be remarked, however, that while the authority of the Company is thus complete under their charter, it is, in common with every other such right, subject, with reference to the mode of its exercises, to reasonable control by the Municipality within whose limits the road is located. In virtue of their police powers, these Districts may, for example, prescribe a reasonable rate of speed at which steam carriages may be propelled within their limits. This power of control, by the District, may lawfully be exercised for the protection of the citizens and their property, and not to such an extent as to destroy or impair the privileges conferred by the Charter upon the company.

ISAAC HAZLEHURST,
ST. GEO. T. CAMPBELL.

November 29, 1853.

Questions submitted by a Committee of the Board of Commissioners of the District of Southwark.

First—Has the Philadelphia, Wilmington and Baltimore Railroad Company, as the lessees of the Southwark Railroad Company, the right to run upon said road any locomotive or steam engine?

Second—If the said Company have such right, at what rate of speed are they authorized to proceed on said road?

Third—If no state law exists regulating the rate of speed at which locomotives may run on the said road, have the Corporation of Southwark the right to adopt and enforce an Ordinance regulating said rate of speed?

Fourth—If the said parties have a right to run locomotive engines on said road, what course can the Corporation pursue for the purpose of preventing the same?

Having examined the several acts of incorporation of the Southwark Railroad Company, the Philadelphia and Delaware Railroad Company, and the Philadelphia, Wilmington and Baltimore Railroad Company, with a view to the questions above submitted, I am brought to the following conclusions, viz:

First—The Philadelphia, Wilmington, and Baltimore Railroad Company, as an incident to the enjoyment of their corporate privileges, conferred by Act of Assembly, have the right to run locomotive engines or carriages propelled by steam, upon their said road, formerly the Southwark Railroad.

Second—No State law regulates the speed at which said engines or carriages shall be propelled.

Third—The Commissioners and Inhabitants of the District of Southwark, in the exercise of their police powers, have a lawful right to adopt and enforce an Ordinance regulating said rate of speed; *Provided*, however, that such action shall not impair or destroy the reasonable privileges of the Company in the use of their road.

Fourth—This question has been determined in Massachusetts, New York, &c., against the power of even the Legislature, to abridge any of the incidents necessary to the full enjoyment of corporate rights. No legislative action can properly impair the rights of a company under their original charter.

Should the interests of the District be prejudiced by the abuse of such corporate right, I would suggest that an ordinance be passed at once, limiting the speed at which steam carriages shall be propelled within its limits; such, I understand, has been the course adopted by other Districts in Pennsylvania.

JACOB BROOM,

Solicitor for the District of Southwark.

December 8, 1853.

All of which is respectfully submitted, and your Committee ask to be discharged.

J. A. Mercer, *Chairman.*

P. A. Keyser,

H. Bumm,

Wm. B. R. Selby,

S. S. Bishop,

Committee.

APPENDIX No. 57.

CITY TREASURER'S OFFICE, }
 August 31st, 1854. }

To the President and members of the Select and Common Councils of the City of Philadelphia.

GENTLEMEN:—By the Ordinance of Councils of the 7th August, 1854, the City Treasurer is directed to cancel so much of the certificates of loan of certain Corporations as are held as part of their respective sinking funds, and make report thereof to Councils.

In accordance with the requirement of said Ordinance, I have to report the cancelling of the certificates of loan of the (old) City of Philadelphia, County of Philadelphia and Board of Guardians of the Poor, as belonging to said sinking funds.

Full particulars of the same, as required by said Ordinance, will be found in the schedules hereunto annexed.

All of which is respectfully submitted.

JOHN LINDSAY,
City Treasurer.

FIVE PER CENT. CITY LOANS.

| Number of Certificate | When Redeemable. | Amount. | Total. |
|-------------------------|---------------------------|----------|------------|
| 81 | Jan. 1st, 1855, | \$800 00 | |
| 87 | " " | 100 00 | |
| 90 | " " | 3,500 00 | |
| | | | \$4,400 00 |
| 118 | " " | 300 00 | |
| 120 | " " | 600 00 | |
| 123 | " " | 1,000 00 | |
| 130 | " " | 1,000 00 | |
| 133 | " " | 8,500 00 | |
| 141 | " " | 600 00 | |
| 146 | " " | 1,000 00 | |
| | | | 13,000 00 |
| 54 | July 1st, 1856, | 7,500 00 | |
| 57 | " " | 300 00 | |
| 60 | " " | 200 00 | |
| | | | 8,000 00 |
| 52 | Jan. 1st, 1857, | 200 00 | |
| 55 | " " | 900 00 | |
| 74 | " " | 1,700 00 | |
| 82 | " " | 900 00 | |
| 84 | " " | 1,700 00 | |
| 86 | " " | 800 00 | |
| 90 | " " | 100 00 | |
| | | | 6,300 00 |
| 52 | July 1st, " | 500 00 | |
| 64 | " " | 400 00 | |
| 68 | " " | 100 00 | |
| | | | 1,000 00 |
| 46 | " 1858, | | 1,000 00 |
| 110 | " " | 500 00 | |
| 115 | " " | 500 00 | |
| 121 | " " | 2,000 00 | |
| 129 | " " | 700 00 | |
| 131 | " " | 1,400 00 | |
| 132 | " " | 1,000 00 | |
| 133 | " " | 3,500 00 | |
| 149 | " " | 1,000 00 | |
| 154 | " " | 400 00 | |
| 156 | " " | 400 00 | |
| | | | 11,400 00 |
| 32 | Jan. 1st, 1859, | 400 00 | |
| 44 | " " | 500 00 | |
| | | | 900 00 |
| 86 | July 1st " | 500 00 | |
| 98 | " " | 500 00 | |
| 99 | " " | 200 00 | |
| 103 | " " | 600 00 | |
| | | | 1,800 00 |
| Amount carried forward, | | | \$ |

| Number of Certificate. | When Redeemable. | Amount | Total. |
|------------------------|---------------------------|------------|-------------|
| | Amount brought forward, | | |
| 94 | July 1st, 1860, | \$5,000 00 | |
| 97 | " " | 2,200 00 | |
| 100 | " " | 800 00 | |
| 118 | " " | 100 00 | |
| 140 | " " | 300 00 | |
| 142 | " " | 400 00 | |
| 144 | " " | 300 00 | |
| 145 | " " | 8,600 00 | |
| 152 | " " | 100 00 | |
| | | <hr/> | \$17,800 00 |
| 49 | Jan. 1st, 1861, | 1,000 00 | |
| 56 | " " | 12,500 00 | |
| 59 | " " | 100 00 | |
| | | <hr/> | 13,600 00 |
| 43 | July 1st, " | 100 00 | |
| 47 | " " | 200 00 | |
| 48 | " " | 3,000 00 | |
| | | <hr/> | 3,300 00 |
| 140 | Jan. 1st, 1862, | 100 00 | |
| 144 | " " | 100 00 | |
| | | <hr/> | 200 00 |
| 154 | July 1st, " | 400 00 | |
| 192 | " " | 1,500 00 | |
| 197 | " " | 4,300 00 | |
| 200 | " " | 600 00 | |
| 202 | " " | 3,600 00 | |
| | | <hr/> | 10,400 00 |
| 24 | Jan 1st, 1863, | 5,000 00 | |
| 42 | " " | 100 00 | |
| | | <hr/> | 5,100 00 |
| 64 | " " | 200 00 | |
| 73 | " " | 100 00 | |
| 74 | " " | 300 00 | |
| | | <hr/> | 600 00 |
| 259 | July 1st, 1864, | 1,500 00 | |
| 263 | " " | 12,400 00 | |
| 270 | " " | 500 00 | |
| 281 | " " | 1,400 00 | |
| 204 | " " | 200 00 | |
| 212 | " " | 1,300 00 | |
| | | <hr/> | 17,300 00 |
| 236 | July 1st, 1866, | 400 00 | |
| 242 | " " | 400 00 | |
| 289 | " " | 300 00 | |
| 291 | " " | 1,000 00 | |
| 294 | " " | 400 00 | |
| 298 | " " | 1,100 00 | |
| | | <hr/> | 3,600 00 |
| 109 | Jan. 1st, 1867, | 100 00 | |
| 135 | " " | 3,800 00 | |
| | | <hr/> | \$3,900 00 |
| | Amount carried forward, | | |

| Number of Certificate. | When Redeemable. | Amount. | Total. |
|------------------------|--------------------------------|-----------|--------------|
| | Amount brought forward, | | |
| 46 | Jan, 1st 1867, | | 4,500 00 |
| 23 | " 1868, | | 800 00 |
| 65 | " 1869, | \$200 00 | |
| 88 | " " | 1,000 00 | |
| | | <hr/> | 1,200 00 |
| 155 | " 1870, | 1,200 00 | |
| 158 | " " | 20,000 00 | |
| 191 | " " | 300 00 | |
| 200 | " " | 4,700 00 | |
| | | <hr/> | 26,200 00 |
| 47 | " 1871, | | 6,000 00 |
| 173 | " " | 100 00 | |
| 184 | " " | 900 00 | |
| 245 | " " | 300 00 | |
| 257 | " " | 1,000 00 | |
| 267 | " " | 200 00 | |
| 269 | " " | 100 00 | |
| | | <hr/> | 2,600 00 |
| 111 | " 1872, | 200 00 | |
| 127 | " " | 1,300 00 | |
| 195 | " " | 2,900 00 | |
| | | <hr/> | 4,400 00 |
| 64 | " 1873, | 300 00 | |
| 132 | " " | 800 00 | |
| | | <hr/> | 1,100 00 |
| 81 | " 1874, | 1,100 00 | |
| 83 | " " | 2,000 00 | |
| | | <hr/> | 3,100 00 |
| | Total, 5 per cent. City Loans, | | \$173,500 00 |

SIX PER CENTS. CITY LOANS.

| Number of Certificate. | When Redeemable. | Amount. | Total. |
|------------------------|----------------------------------|-----------|--------------|
| 1 | Jan. 1st, 1881, | | \$6,500 00 |
| 3 | " " | | 45,000 00 |
| 24 | " " | | 21,300 00 |
| 38 | " " | | 1,500 00 |
| 2 | " 1882, | | 25,000 00 |
| 1 | " 1883, | | 50,000 00 |
| 1 | " " | | 18,100 00 |
| 33 | July 8th, 1888, | | 25,000 00 |
| 25 | Jan. 1st, 1889, | 19,000 00 | |
| 70 | " " | 49,800 00 | |
| 72 | " " | 50,000 00 | |
| 105 | " " | 30,000 00 | |
| | | <hr/> | 148,800 00 |
| 22 | " 1892, | | 25,000 00 |
| | Total, six per cent. City Loans, | | \$366,200 00 |

FIVE PER CENT. COUNTY LOANS,

Interest payable February and August.

| Number of Certificate. | When Redeemable | Amount. | Total. |
|-------------------------------------|-------------------------------|---------|--------------|
| 1136 | Jan. 1st, 1860, | | \$11,225 86 |
| 942 | Feb. 1st, Monday, " | | 20,509 22 |
| 1130 | Jan. 1st, " | | 3,663 98 |
| 902 | Feb. 1st, Monday, " | | 8,747 35 |
| 1115 | Jan. 1st, " | | 883 03 |
| 883 | Feb. 1st, Monday, " | | 5,050 00 |
| 1111 | Jan. 1st, " | | 10,197 00 |
| 1081 | " " " | | 5,181 40 |
| 860 | Feb. 1st, Monday, " | | 4,629 84 |
| 1058 | Jan. 1st, " | | 10,063 31 |
| 833 | Feb. 1st, Monday, " | | 11,422 81 |
| 1023 | Jan. 1st, " | | 78 50 |
| 1024 | " " " | | 2,366 39 |
| 797 | Feb. 1st, Monday, " | | 86 44 |
| 798 | " " " | | 3,750 00 |
| 1019 | Jan. 1st, " | | 4,041 92 |
| 790 | Feb. 1st, Monday, " | | 6,651 01 |
| 767 | " " " | | 1,171 37 |
| 987 | Jan. 1st, " | | 150 00 |
| 984 | " " " | | 5,957 33 |
| 764 | Feb. 1st, Monday, " | | 5,500 00 |
| 765 | " " " | | 644 95 |
| 716 | " " " | | 172 64 |
| 916 | Jan. 1st, " | | 15 00 |
| 714 | Feb. 1st, Monday, " | | 10,000 00 |
| 906 | Jan. 1st, " | | 720 58 |
| 711 | Feb. 1st, Monday, " | | 122 15 |
| 659 | " " " | | 8,325 67 |
| 788 | Jan. 1st, " | | 1,159 18 |
| 598 | Feb. 1st, Monday, " | | 1,500 00 |
| 597 | " " " | | 1,375 00 |
| 750 | Jan. 1st, " | | 596 66 |
| 702 | " " " | | 9,000 00 |
| 703 | " " " | | 2,000 00 |
| 1189 | " " " | | 7,331 55 |
| 970 | Feb. 1st, Monday, " | | 13,132 28 |
| 969 | " " " | | 1,000 06 |
| Total, Five per cent. County Loans, | | | \$178,383 39 |

SIX PER CENTS. COUNTY LOANS.

| Number of Certificate. | When Redeemable. | Amount. | Total. |
|-----------------------------------|----------------------------|---------|-------------|
| 547 | Dec. 31st, 1870, | | \$489 73 |
| 11 | Feb. 1st, 1873, | | 25,600 00 |
| 689 | Dec. 31st, 1870, | | 77 69 |
| Total Six per cent. County Loans, | | | \$25,567 42 |

FIVE PER CENTS. COUNTY LOANS,
Interest payable January and July.

| Number of Certificate | When Redeemable. | Amount. | Total. |
|--------------------------|----------------------------|---------|------------|
| 602 | Dec. 31st, 1860, | | \$1,736 02 |
| 718 | “ “ | | 1,333 75 |
| 719 | “ “ | | 1,412 69 |
| 201 | “ “ | | 100 00 |
| 708 | “ “ | | 2,000 00 |
| 575 | “ “ | | 923 55 |
| 560 | “ “ | | 470 60 |
| 694 | “ “ | | 1,090 00 |
| 693 | “ “ | | 587 50 |
| 558 | “ “ | | 3,208 76 |
| 195 | “ “ | | 2,771 50 |
| 533 | “ “ | | 1,061 67 |
| 668 | “ “ | | 9,300 69 |
| 187 | “ “ | | 1,120 86 |
| 634 | “ “ | | 608 80 |
| 175 | “ “ | | 1,131 80 |
| 519 | “ “ | | 6,546 99 |
| 156 | “ “ | | 400 00 |
| 496 | “ “ | | 500 00 |
| 496 | “ “ | | 800 00 |
| 576 | “ “ | | 1,750 50 |
| 484 | “ “ | | 334 75 |
| 581 | “ “ | | 16 35 |
| 476 | “ “ | | 1,762 08 |
| 134 | “ “ | | 1,000 00 |
| 539 | “ “ | | 190 00 |
| 434 | “ “ | | 2,226 62 |
| 475 | “ “ | | 1,499 67 |
| 112 | “ “ | | 450 00 |
| 455 | “ “ | | 362 00 |
| 399 | “ “ | | 2,080 87 |
| 453 | “ “ | | 2,000 00 |
| 730 | “ “ | | 350 00 |
| 226 | “ “ | | 3,406 88 |
| 623 | “ “ | | 203 34 |
| 622 | “ “ | | 3,909 89 |
| 731 | “ “ | | 225 00 |
| 720 | “ 1870, | | 246 66 |
| 709 | “ “ | | 1,150 00 |
| 710 | “ “ | | 1,300 00 |
| 695 | “ “ | | 200 00 |
| 696 | “ “ | | 408 00 |
| 692 | “ “ | | 457 59 |
| 671 | “ “ | | 122 53 |
| 670 | “ “ | | 284 14 |
| 635 | “ “ | | 653 50 |
| 602 | “ “ | | 2,360 38 |
| Amount carried forward, | | | \$ |

| Number of Certificate. | When Redeem. ble. | Amount. | Total. |
|------------------------------------|-------------------------|-----------|--------------|
| | Amount brought forward, | | \$ |
| 575 | " " | | 300 00 |
| 573 | " " | | 862 50 |
| 522 | " " | | 66 67 |
| 456 | " " | | 790 50 |
| 730 | " " | | 700 00 |
| 731 | " " | | 750 00 |
| 341 | " 1880, | | 3,629 44 |
| 317 | " " | | 1,000 00 |
| 308 | " " | | 327 74 |
| 306 | " " | | 4,104 30 |
| 287 | " " | | 1,551 89 |
| 271 | " " | | 900 00 |
| 255 | " " | | 134 87 |
| 253 | " " | | 914 88 |
| 13 | " " | | 100 00 |
| 11 | " " | | 1,550 00 |
| 233 | " " | | 5,187 61 |
| 206 | " " | | 2,715 16 |
| 198 | " " | | 3,171 50 |
| 184 | " " | | 59 72 |
| 183 | " " | | 1,764 22 |
| 329 | " " | | 1,555 62 |
| 669 | " 1858, | | 5,815 22 |
| 574 | " " | | 600 00 |
| 601 | " 1866, | | 5,800 00 |
| 454 | " 1868, | | 900 00 |
| Total five per cent. County Loans, | | | \$111,307 27 |

FIVE PER CENT. GUARDIANS OF THE POOR.

| Number of Certificate. | When Redeemable. | Amount. | Total. |
|------------------------|--------------------------|------------|-------------|
| 53 | July 1st, 1860 | \$1,000 00 | |
| 64 | " " | 11,000 00 | |
| 83 | " " | 8,000 00 | |
| | | | \$20,000 00 |
| 149 | " 1865, | 1,250 00 | |
| 150 | " " | 1,250 00 | |
| 163 | " " | 4,161 60 | |
| 212 | " " | 93 | |
| | | | 6,662 53 |
| 11 | 1868 | | 8,500 00 |
| Total, Five per cent. | | | \$35,162 53 |

SIX PER CENT. GUARDIANS OF THE POOR.

| Number of Certificate. | When Redeemable. | Amount. | Total. |
|------------------------|---------------------------|----------|------------|
| 47 | July 1st, 1855, | 1,428 00 | |
| 48 | " " | 204 00 | |
| 49 | " " | 204 00 | |
| 51 | " " | 204 00 | |
| 52 | " " | 1,000 00 | |
| 54 | " " | 428 00 | |
| 62 | " " | 600 00 | |
| 63 | " " | 204 00 | |
| Total Six per cent. | | | \$4,272 00 |

RECAPITULATION; SINKING FUND.

FIVE PER CENTS.

| | |
|-------------------------------------|--------------|
| City, | \$173,500 00 |
| County, July and January, | 111,307 27 |
| " August and February, | 178,383 39 |
| Guardians of the Poor, | 35,162 53 |
| Total, | \$498,353 19 |

SIX PER CENTS.

| | |
|-------------------------------------|--------------|
| City, | \$366,200 00 |
| County, July and January, | 567 42 |
| " August and February, | 25,000 00 |
| Guardians of the Poor, | 4,272 00 |
| Total, | \$396,039 42 |

SUMMARY.

| | |
|-------------------------|--------------|
| Five per cents. | \$498,353 19 |
| Six per cents. | 396,039 42 |
| Total, | \$894,392 61 |

Attest :

JOHN LINDSAY,
City Treasurer.

APPENDIX No. 58.

To the Select and Common Councils of the City.

The Committee on Finance beg leave to submit the accompanying Ordinance, establishing a sinking fund for the liquidation of the debt of the City. The provisions of the ordinance your Committee have based upon the principal that there should be annually appropriated, carried to the credit of and invested for the sinking fund, a per centage upon the amount of loan due in any particular year, which shall amount to a sufficient sum to redeem it when due. Should the ordinance be adopted, and its provisions carried out, resort will never be necessary to the creation of new loans to redeem those falling due.

The principle of this Ordinance is no novelty, having been acted under for many years by the corporations for whose benefit the greater portion of the debt of the City was created; and, in other cases, the authority given by the Legislature to create debt, was accompanied by provisions requiring the establishment of a sinking fund, which were not complied with. It will be seen by reference to the 44th section of the Act of February 2d, 1854, commonly known as the Act of Consolidation, "that all acts of the Legislature, not inconsistent with this Act, now in force, shall continue in operation." It is, therefore, most clearly incumbent upon Councils to enact such ordinances as may be necessary to carry out the requirements of the Legislature.

A strict construction of the thirty-eighth section of the Act of February 2, 1854, in the opinion of your Committee, requires the enacting of an Ordinance similar in principle to the one now presented. Although the section does not refer to the liquidation of the indebtedness of the Old Corporation, consolidated by the Act, yet it requires that after the cancellation of the amount held by the various sinking funds, certificates shall be issued for the balance of the debt to the holders thereof, and stipulates further "that no debt shall

be incurred or loan made without coteremporaneous appropriations of a sufficient annual income or tax, exclusive of loans, to pay the interest in thirty years. The provisions of this section are somewhat contradictory, for whilst that portion of it which refers to the issue of certificates to the holders of the debt consolidated after those held by the sinking funds shall have been cancelled, requires that it shall be called the Debt of the City of Philadelphia, and that it shall be made payable at the same times that the principals of the said debts are now made payable; yet that portion of the same section before quoted, provides that an annual appropriation shall be made, sufficient to sink the principal in 30 years. But it cannot possibly be urged that Councils have not the power to liquidate those loans falling due after that time, cannot be liquidated until due, except with the consent of the holders.

Justice to the holders of the City debt should be alone sufficient to ensure the passage of the Ordinance, as, whilst provisions for the liquidation of the majority of the debt had been made under the pledges given at the time, and the authority under which the loans were negotiated, which, if the form of government had remained unchanged, would have been sufficient to have liquidated them as they would have fallen due, yet, by the Act of Consolidation, the holders of those debts thus provided for have been bereft of this security, and the holders of those debts in reference to which the pledges given were not executed, have been benefitted by the reduction of the general debt consequent upon the cancellation of the amount of the loans held by the various sinking funds.

The Ordinance also provides that the proceeds from the sale of the various objects for which the debt has been created, viz: real estate, railroad stocks, ground rents, and all the corporate property of the City whatsoever, shall be most solemnly pledged for the redemption of the principal of the debt through the sinking fund.

Your Committee would respectfully ask the early adoption of the Ordinance, believing that its passage will tend very greatly to elevate the credit of the City to that position its

resources and the character of its citizens justly entitle it to occupy.

M. S. Wickersham, *Chairman*.
 Wm. F. Smith,
 Edw'd Gratz,
 John U. Giller,
 W. P. Hacker,
 Wm. S. Smith,
 Algernon S. Roberts,
 Wm. O. Kline,
 Wm. B. R. Selby.

APPENDIX No. 59.

OFFICE SUNBURY AND ERIE RAILROAD Co., }
Philadelphia, Sept. 25th, 1854. }

HON. JAMES COOPER, *President Sunbury and Erie Railroad Company:*

SIR,—It is desirable, having in view the interests of Philadelphia and the Sunbury and Erie Railroad, that the route surveyed from Warren to Erie should be adopted as the route of your road. It has been suggested that a more southern route might be found, indeed one by Franklin, in Venango County has been named. To the undersigned, who are perfectly familiar with the country, know its impracticable character for railroading, such suggestions appear visionary; but, as all are not acquainted with the topography of the regions referred to, we regard it to be our duty, and accordingly do advise you of the difficulties connected with the southern route proposed, and which are of an insuperable character.

In the first instance, to take the Franklin or Southern route, your road will be compelled to fall one hundred feet in order to cross the Allegheny river, which one hundred feet it will be compelled to rise again to regain the track of your road east of the river mentioned. This rise and fall

in grade, by the engineering experience of the country, is regarded as equal to four miles of lineal road. In addition, the route is characterized by short and frequent curves, deep cuttings, and several heavy embankments. But its most important feature, when compared with the Warren route, is that *it is not less than fifteen miles* and claimed by persons well acquainted with the locality to be over twenty miles longer, which fact should settle its impracticability at once and for ever. The Sunbury and Erie road must have the best, shortest and most practicable route to the Lakes, none other will satisfy Philadelphia, or meet the public expectation.

It is to be remembered that long, careful and accurate instrumental examinations have been made of the region of country between Warren and Erie, those surveys and re-surveys covering a period of about fifteen years, have been carefully compared, and the result was the discovery of the naturally graded line from Warren via the Broken Straw River or Creek, to bring us a line superior not only on account of its shortness, straightness, cheapness and ease of construction, being free of curves, allowing not only of the most rapid but the most secure transportation, it being a route in which Nature has already done much of the grading.

Few railroads in this or any other country have been so fortunate to find so long a line of straight and naturally graded road. With these facts before us, the undersigned think they would be direct in duty were they to neglect to inform you thereof, and to advise against a further expenditure of money and loss of time. Such would be the result to the Company, we are convinced, of further surveys and explorations in that quarter, and we accordingly advise and ask their abandonment. The Warren and Brokenstraw route is as near perfect in point of directness and grade as could be expected to be found any where. And when it is remembered that it runs through a most populous, wealthy and well-improved country, and possessed of advantages no other line enjoys, it seems like a waste of money to neglect or abandon it.

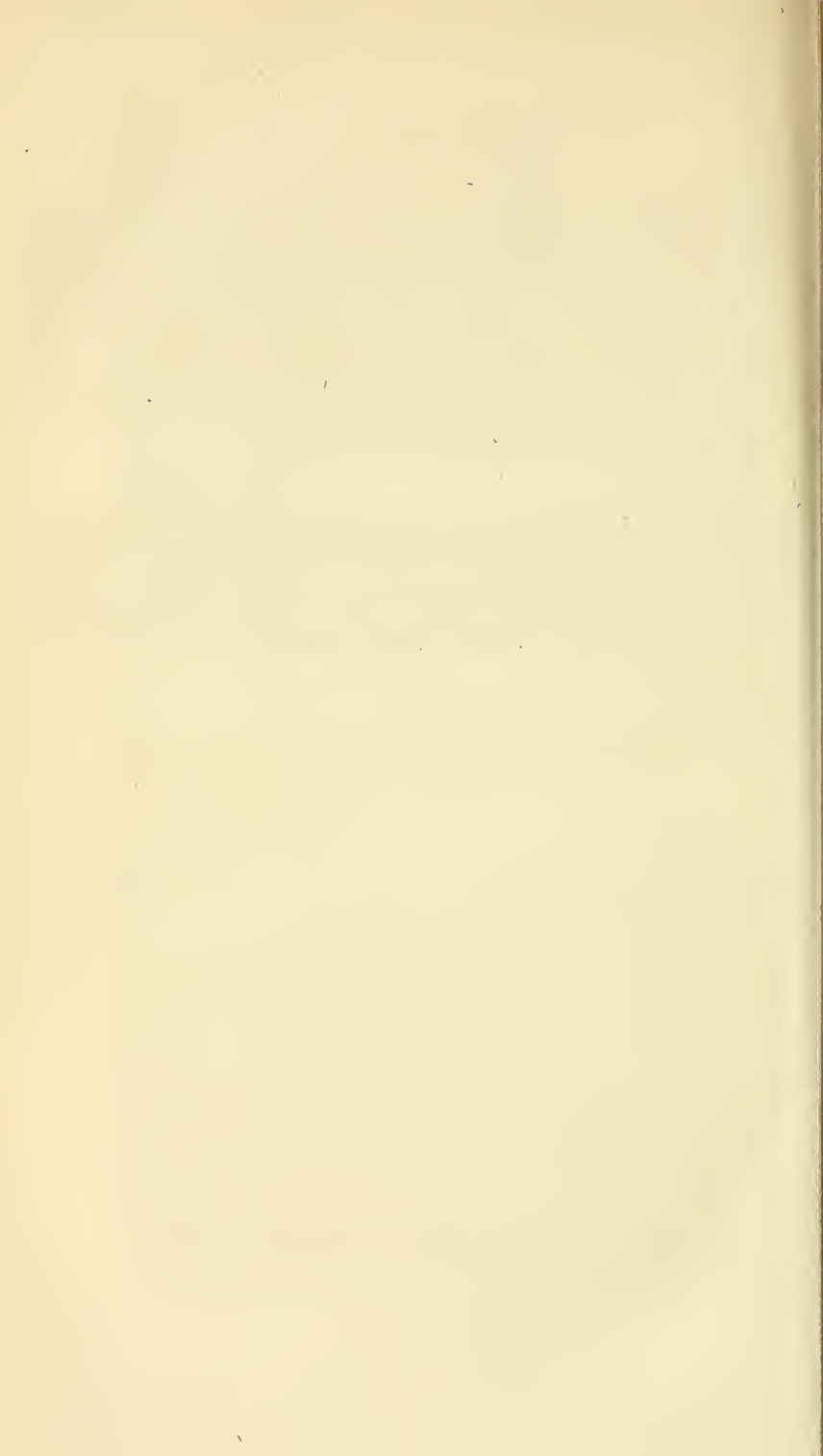
Maps and plans of the road by sections, exhibiting in detail, in the most accurate manner, the character of the work on the whole line from Erie to Warren, have been prepared,

and so reliable are they that the construction of the work could be commenced without delay; and in conclusion, and in view of all the facts, our judgments convince us that this route should be adopted and placed under contract without further delay, and we respectfully ask and request that you take such steps as may secure a result so desirable to the Company, to Philadelphia, and to an expecting public, who take great interest in the enterprise you have in charge.

Very truly, your obedient servants,

JAMES THOMPSON,
GIDEON J. BALL.

P. S.—The above views have no reference to the proposed explorations north of Ridgeway, between the Bennett's Branch of the Sinnemahoning and the mouth of Kinzua, near Warren. It is possible that such explorations might be attended with favorable practical results.



REPORT

OF THE

SPECIAL COMMITTEE

OF

COMMON COUNCIL,

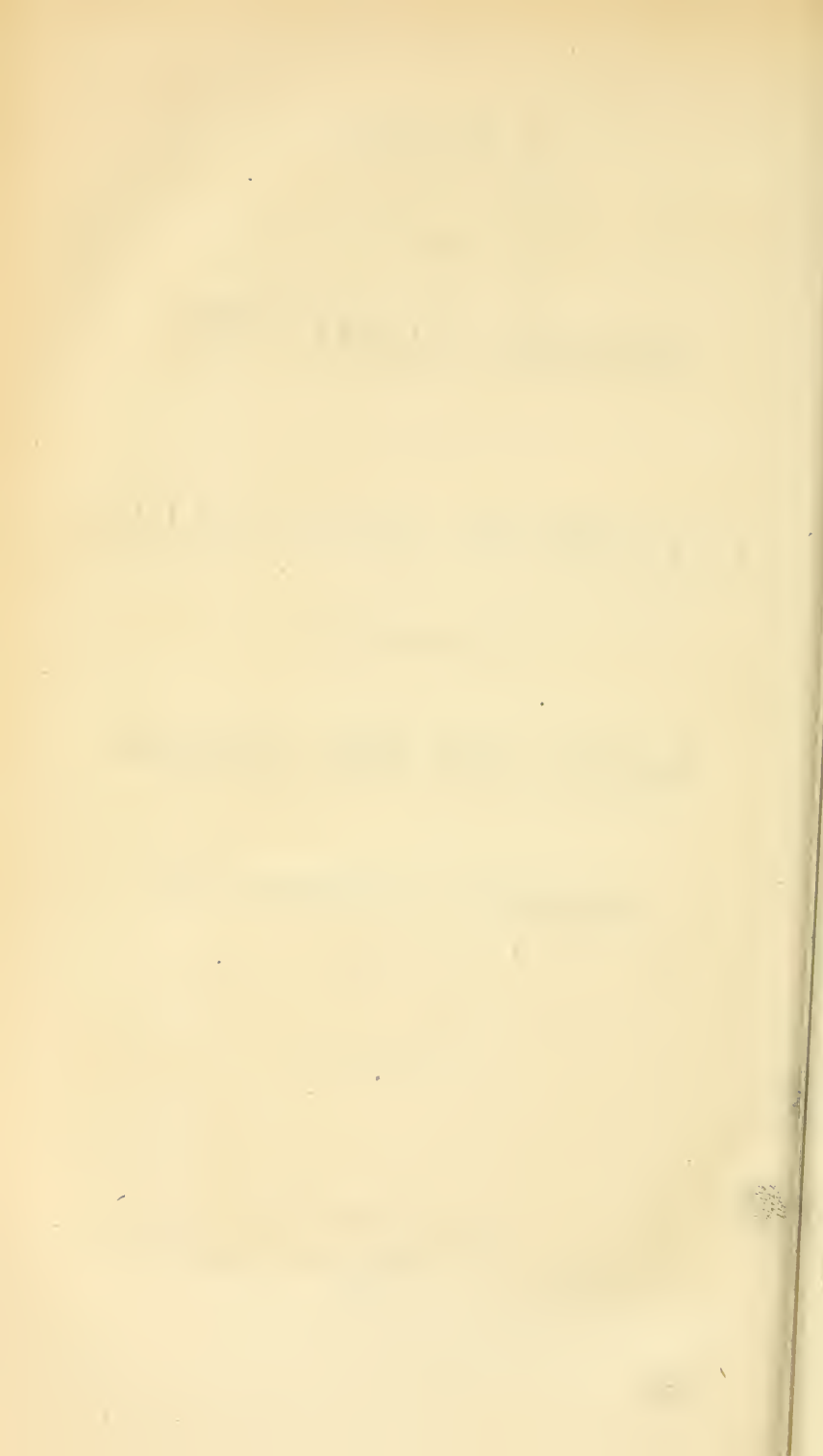
IN RELATION TO THE

Sunbury and Erie Railroad,

PRESENTED 14th SEPTEMBER, 1854.

PHILADELPHIA:

J. H. JONES & CO., PRINTERS, 34 CARTER'S ALLEY.
1854.



REPORT

OF THE

SPECIAL COMMITTEE OF COMMON COUNCIL,

IN RELATION TO THE

SUNBURY AND ERIE RAILROAD.

To the Honorable the President of Common Council.

The undersigned, the Special Committee appointed under a resolution of Common Council, passed August 10, 1854, directing an inquiry and report :

Copy annexed.
See Journal of
Common Council.

1st. Whether the second instalment, due August 1st, or the subscription of Mr. Crane and others to the Sunbury and Erie Railroad has been paid :

2d. To report the present condition of the city subscription to the said railroad :

Do respectfully report, that they entered on the discharge of their duties upon the following day, and have been engaged almost daily in the same ; that they have been unable sooner to present a report, partly by reason of the laborious character of the investigation, and partly because the President of the company was ill and absent, and the Secretary and Treasurer was absent from the city ; that they have been attended part of the time by Judge Thompson, a Director in the Board, appointed by the City of Erie, also by Mr. Struthers ; and that they have examined the various parties, whose statements are hereto annexed : Mr. Moorhead, Mr. Fallon, Mr. Cooper, Mr. Price, and others.

Exhibits 13, 14,
15, 16.

See Mr. Ford's
letter, &c.

That, in the progress of their investigation, various matters, some wholly foreign to the inquiry of the committee, others more or less connected therewith, were either brought to their notice, or were developed by the testimony. Your committee declined to take cognizance of the former, but gave to the latter such consideration as was proper, in their judgment, consistent with their desire to confine their investigations as strictly as possible to the subjects embraced in the resolution under which they were appointed. Your committee would further say, that they do not consider it within their province to express any opinion, but simply to report the facts as found by them, leaving to this honorable body to form such judgment as the facts may warrant, or to take such action as may be deemed advisable.

They further report, that they herewith present the correspondence between themselves and various parties: the examinations of Mr. Fallon, Mr. Price, Mr. Cooper, Mr. Moorhead, and others; a carefully prepared series of extracts from the journals, showing all the action, ordinances, and correspondence of the Councils of the Old City on this subject; copy of the Lease to the Catawissa Road, and other documents, being the evidence of the facts herewith reported.

They further report, that in order to a more correct understanding of the present condition of the city subscription to the Sunbury and Erie Railroad, it seems proper to state briefly the facts in their chronological order, although some of them are already printed in the journals of the Councils of the Old City.

See statements
of Mr. Price, Mr.
Fallon, Mr. W.
G. Moorhead.

That, after Mr. Fallon's resignation of the Presidency in October, 1853, Mr. John Tucker was appointed President pro tem., that during the months of October and November, cash funds to the amount of from \$130 to \$150,000 were raised upon the notes of the company, endorsed by Mr. Tucker, Mr. Fallon, Mr. Price, and Mr. Whetham, four of the then directors, the notes having four months to run,

and being discounted generally at $1\frac{1}{4}$ per cent. per month. These were all the cash funds of the company. That, partly for the purpose of covering the liability of the four directors, and partly for the purpose of raising other funds, on the 3d of November, 1853, the Board of Managers, by resolution, gave power to the President pro tem. and to the Secretary, "to make such contract or contracts or arrangements with the Catawissa, Williamsport and Elmira Railroad Company, or with any other party or parties as they may think best, for the purpose of ensuring the completion of that portion of the road between Milton and Williamsport, and of the work at the harbor of Erie; and for that purpose, if necessary, to sell and transfer to such party or parties all the rights, title, and interest of this company in any part of the road or work complete or otherwise, and to affix the corporate seal of this company to any contract or contracts they may make in the premises." In pursuance of the extraordinary power thus given, Mr. Tucker and Mr. Price entered into an agreement with the Catawissa Railroad and with the Williamsport and Elmira Railroad, substantially as follows: The Sunbury and Erie Railroad issued 700 bonds, each of \$1000, bearing interest at 7 per cent. and having twenty years to run. These bonds were secured by a mortgage to Mr. Boker, as Trustee, which mortgage covered so much of the Sunbury and Erie Railroad, "commencing at the junction with the Catawissa, Williamsport and Erie Railroad, at or near Milton, and extending thence northwardly and westwardly to the junction with the Williamsport and Elmira Railroad at or near Williamsport," but involved the franchises of the whole road.

See Mr. Price's statement.

See minutes. Exhibit No. 8.

Exhibit No. 10.

See Mr. Price's statement.

The bonds were guaranteed by the Williamsport and Elmira Railroad and by the Catawissa Railroad, and hence are usually known as the "Catawissa bonds." In consideration of the guarantee, a lease was made by the Sunbury and Erie Railroad to the Catawissa Railroad, of all that portion

Exhibit No. 11. of the road covered by the mortgage; but it must be borne in mind, that the "demise" was to "commence from the time when possession of the demised premises shall be delivered in complete running order." This part of the road is not even yet in running order.

Statements of
Mr. Price and
Mr. J. B. Moor-
head.

The 700 bonds were issued, as follows:
397 (\$397,000) to Messrs. Moorhead, contractors.
100 (\$100,000) to Mr. Tucker.

3 (\$3,000) to Mr. Fallon.

50 (\$50,000) were placed in the hands of Mr. Cooper, as hereinafter more particularly mentioned.

150 (\$150,000), the remaining, were never issued, but remained in the hands of the officer of the Company.

See W. G. Moor-
head's statem't.

Messrs. Moorhead, the contractors to whom were issued the 397 bonds, and to whom was paid the money raised on the endorsement of the four directors, had made a contract with the company, by which they were to be paid 70 per cent. in cash, and in stock 30 per cent., on account of which they had received about \$140,000 in cash, raised, as before stated, on the endorsed notes of the company.

See Exhibit
No. 9.

This first contract was waived by them, and a new agreement entered into, the authority to make which was given by resolution of the Board, passed Nov. 19, 1853, by which the Messrs. Moorhead were to receive 80 per cent. in the Catawissa bonds, and 20 per cent. in cash, a mode of payment to be applied to the work previously done, as well as to that thereafter to be executed.

Exhibit No. 12.

It was also stipulated that the Messrs. Moorhead should return "the amounts heretofore paid them, together with the expenses incurred by the company in raising the means of making said payments, said amounts to be returned in the obligations of the company, now out-standing to the amount of \$100,000, and the balance thereof in cash, and in case any of the said obligations cannot be immediately returned, a proportionate amount of the said bonds shall be withheld by the said company, until

such return of obligations can be effected, and the said J. B. & W. G. Moorhead hereby agree to take up all said obligations as they shall become due."

The Messrs. Moorhead returned the money actually received, and met the obligations in question. See Mr. W. G. Moorhead's statement.

Prior to taking the bonds of the company, the Messrs. Moorhead had made arrangements for their hypothecation with Mr. Fallon, under a specific agreement in writing, to take the bonds at 85 as collateral, but with the privilege of taking them absolutely at 87½, at any time before the maturity of their notes which they gave him; and a general but similar arrangement with E. W. Clark & Co. There was an understanding that the bonds should not be sold, nor put beyond the control of the Messrs. Moorhead, without notice to the company; and, according to Mr. W. G. Moorhead's statement, none were ever sold or offered in the market. See W. G. Moorhead's statement.

Such was the position of things, when, on the 21st of January, 1854, Mr. Cooper was elected President by the Board of Directors. On the 10th of February, Mr. Cooper obtained, in New York, two subscriptions, the one commonly known as the Crane subscription, the other as the Choteau subscription. The history of those subscriptions is as follows: Mr. Fallon's statement.

I. THE CHOTEAU SUBSCRIPTION.

This was a subscription of five thousand shares (\$500,000) made by Messrs. Choteau, Sandford & Co., of New York, to be paid in railroad iron. The price at which the iron was to be taken, appears to have been perfectly fair. To meet the first instalment on this subscription, Mr. Choteau's check for the amount was deposited with a third party, to be held until warehouse receipts for iron, equal in value to the first instalment, should be transferred and delivered to the company. On the 13th February, 1854, this subscription was credited with \$50,000, the amount of the check, and was voted upon, Mr. Cooper holding the proxy. Mr. Cooper's statement.

On the 21st February, warehouse receipts were

Mr. Price's
statement.

sent on by Choteau, Sandford & Co., and the check was given up. Shortly after the receipts were presented, the engineer of the railroad settled his pattern of iron, and it was then found that the iron in the warehouse was not of the pattern or weight required. Upon this, Mr. Cooper withdrew the papers for the purpose of making an arrangement with that firm, and the matter appears to be still the subject of negotiation, although, as appears from Appendix to Journal of Select Council, pp. 280—283, Mr. Cooper and Mr. Price, under the seal of the company, and under date of May 30, 1854, reported to Councils, that the Montour Iron Company had subscribed for five thousand shares, substituted for the Choteau subscription. This statement is contained in the application for the city subscription of a second million, on the ground that the company had obtained a second additional million, of which these five thousand shares formed a part (\$500,000). "The stock, however, still stands on the books of the company, just as it did, but nothing has been paid upon it."

Mr. Price's
statement.

II. THE CRANE SUBSCRIPTION.

This was a subscription made by Crane, Dillon & Co., of Boston, J. W. White, of Norwich, Conn., and James Goodwin, of Hartford, Conn. Crane, Dillon & Co. subscribed for nine thousand shares (\$900,000); Mr. White and Mr. Goodwin for five thousand shares (\$5,000) each.

Minutes as quoted
in Mr. Price's
statement.

To meet the first instalment on this subscription, Mr. Crane drew his check, dated February 10, 1854, in favor of Sidney Dillon, on the Bank of Commerce, in Boston, for one hundred thousand dollars, stating to Mr. Cooper at the time, that he had not funds in Bank, but before it could be sent on, they would be there ready to meet it.

Mr. Price's
statement.

Minutes of the
Board, quoted
by Mr. Price.

On the 13th of February, at an adjourned meeting of the Board, this check was presented by the Treasurer of the company, and he was directed to receive and credit the said check as the first instalment on the shares above mentioned. This was

done, and the subscription was accordingly voted upon by proxy, held by Mr. Appleton, an engineer on the Venango Railroad.

In order, however, to understand correctly the reasons for such action of the Board, it is proper for the committee to state here some of the circumstances which led to it.

On Saturday, (11th February,) immediately preceding the election which took place on Monday, (13th,) a meeting of the friends of Mr. White, whom it was intended to present as a candidate for the Presidency, was held at Mr. Tucker's house. The good faith of the Choteau subscription and the Crane subscription was discussed, and it was determined that telegraphs should be sent to Boston to ascertain the value of the Crane check. An answer was received to the effect that Mr. Crane's check was not worth a dollar; and, upon Mr. Price being so informed, he required the foregoing resolution of the Board for his (Mr. Price's) justification in entering it in his books as cash.

It is proper further to state, that the belief on the part of some of the large stockholders, in the good faith of the Crane and Choteau subscriptions, appears to have materially influenced the result of the election held on Monday, the 13th February. Mr. Fallon states, "that Mr. Cooper had pledged himself on Saturday to him to deposit the check; that he believed the check was deposited—fully believed it, or else, as a stockholder, he would not have consented to that stock being voted upon."

To resume the history of the Crane subscription. In consequence of the telegraphs received, Mr. Cooper, by direction of the Board, left the next day after the election for Boston, to make arrangements for its payment or security. The parties there, it would seem, substituted a new check of the same amount, on Willis & Co., bankers, then in good standing, though they shortly afterwards failed. This check was accompanied by securities, which doubtless were ample; and Mr. Cooper, holding in his hands the means of enforcing imme-

Mr. Fallon's statement.

Mr. Cooper's statement.

Mr. Price's statement.

See Mr. Fallon's statement.

Statement of votes quoted in Mr. Price's statement.

Mr. Cooper's statement.

Journal of S. C., March 30, 1854, p. 136, and Appendix, No. 45, pp. 233—239.

Mr. Cooper's communications to Councils—*mission.* immediate payment, at any time, always subsequently spoke of this instalment as paid.

Mr. Boker's statement. For a short time, from 9th of March, 1854, until some day in that month, not later, however, than the 16th, the check and securities were deposited in the Girard Bank, and carried to the credit of the company as cash. The bank, having the securities in its hands, gave the company credit for the amount of the check (\$100,000,) but subsequently, (not later than the 16th March,) Mr. Cooper withdrew the check and securities, and the bank charged the company with the amount (\$100,000.) It was doubtless during this period, that Mr. Fallon made the inquiries mentioned in his statement. Mr. Cooper, for various reasons, made no call for this money till some time in June, 1854, when he notified Mr. Crane that part of the money was wanted, after which payments were made at three or four several times, amounting to \$35,725. In the meantime, Willis & Co. had failed, and Mr. Crane's over issue of Vermont Central Railroad stock had become known. Mr. Cooper took such steps as he deemed advisable to bring in a number of the friends of the Venango Railroad and of the Sunbury and Erie Railroad, who resided in Pennsylvania, the Messrs. Gamble and others, an object which he accomplished on or about the 21st of July last.

Mr. Fallon's statement. Mr. Cooper's statement. Mr. Price's statement. Mr. Cooper's statement.

Mr. Fallon's statement. Mr. Cooper's statement. Mr. Price's statement. Mr. Cooper's statement.

Mr. Fallon's statement. Mr. Cooper's statement. Mr. Price's statement. Mr. Cooper's statement.

Mr. Fallon's statement. Mr. Cooper's statement. Mr. Price's statement. Mr. Cooper's statement.

These parties have since paid a large amount of the first instalment due on the Crane subscription, (\$50,000 on the 29th August, '54,) and the balance has been paid, as your committee are informed, by Mr. Cooper, since the testimony herewith reported was taken, (September 7, 1854,) though it will be seen that a part of the funds derived from the instalments have been expended in lifting the fifty outstanding bonds as hereafter more particularly stated. These parties became associated with Dillon & Co. (Edward Crane having withdrawn from all connexion with the road, on the same day) in the subscription, and became liable with them to the Sunbury and Erie Railroad, for the whole of it.

The second instalment on none of the subscriptions made to the road has been paid, nor has any demand been made for the second instalment, other than the formal one of an advertisement in the newspapers that it was required.

Mr. Cooper's
statement.

THE CITY SUBSCRIPTION:—

The action of the City, as exhibited in the proceedings of Councils, is to be found in their journals, a carefully prepared abstract of which is herewith presented. Accessible as those proceedings are and were, through both the journals and the newspapers, your committee give only such a brief outline as is necessary to the correct understanding of the present condition of the city subscription, and also to the exchange of City sixes for the Sunbury and Erie bonds.

The joint Special Committee, (appointed November 11th, 1851,) to whom was referred the memorial of the Sunbury and Erie Railroad, reported on the 5th of January, 1852, that the total cash subscription to the road at that time, was \$1,745,000, and recommended, that, upon the company obtaining an additional million of dollars to its stock, that the City should subscribe a million, and that upon the company obtaining a second additional million from parties other than the City, that then the city should subscribe also a second additional million.

Journal of Se-
lect Council, p.
74, January 6,
1853. Appendix,
29, pp. 131—134.

Much conflicting legislation by Councils took place subsequently to that report; but the condition that the company should precede the City in subscriptions of equal amounts, was maintained throughout.

On the 30th March, 1854, the Railroad Committee reported that they had received communications from Mr. Cooper, and Mr. Price certified, under the seal of the company, that subscriptions to the amount of \$1,756,600 had been obtained—made up of the Crane subscription, (\$1,000,000,) the Choteau subscription, (\$500,000,) and the additional items: District of Richmond, (\$250,000); and individuals in Philadelphia, (\$6,600,) upon

See Journal of
Select Council,
p. 134. Appen-
dix 43, pp. 233—
239.

Journal of Se-
lect Council, p.
147.

which, the committee recommended that the city should, upon certain conditions mentioned in the report, subscribe the first million. On the 13th April, 1854, a resolution was passed, authorizing the subscription above mentioned.

Journal of Se-
lect Council, p.
173, June 1, 1854.
Appendix, No.
60, pp. 278—284.

On the 1st of June, 1854, the Railroad Committee reported that they had received the communication from Messrs. Cooper and Price, under the seal of the company, dated May 30, 1854, already mentioned, stating that ten thousand additional shares had been subscribed to the stock of the company, as follows:—

“ District of Richmond, - - - 2,500 shares
“ Montour Iron Company, (substituted
for the Choteau subscription,) - 5,000 “
“ Individuals, resident in Phila., over 2,500 “

Journal of Se-
lect Council, p.
173.

“On the above subscriptions, one instalment of ten per cent. has been paid, except in the case of the District of Richmond, which has given the company bonds for the whole amount of its subscriptions,” upon which report Councils authorized the subscription of the second million, and also authorized the Committee of Finance to anticipate the 2d, 3d, and one-half of the 4th instalments on the first million, by issuing City sixes to the amount of \$250,000.

Appendix, No.
45, cited above,
p. 234.

The sixth condition on which the city subscribed was, “that no instalment shall be demanded from the city, until the instalments have been paid by the parties now subscribing;” but Mr. Cooper, having represented, “that the District of Richmond had delivered her bonds for the whole amount subscribed, and that the company had contracts for iron which required them to make provision to meet them, and that city securities could then have been negotiated on much better terms than other securities, which the company had in its hands in the shape of country and other municipal bonds,” Councils passed the second resolution above mentioned, authorizing the anticipation of the instalments.

Appendix, No.
60, p. 281, cited
above.

Mr. Cooper left Philadelphia, after a stay of some weeks, the day after the above action of Councils, that is to say, on Friday, the second day of June. After his departure, the exchange of City sixes hereinafter mentioned was effected. He states, that he was neither directly nor indirectly apprised of the exchange which was subsequently made; but, on the contrary, that the first intelligence which he received was through the newspapers, which contained an account of the action of Councils; that Mr. Price, on Monday, 4th, and Wednesday, 6th, telegraphed for him to come on to Philadelphia, but in neither instance stating the object for which his presence was required. It also seems that Mr. Price addressed a letter to Mr. Cooper on the subject, but none such was ever received. So far from approving of this exchange, Mr. Cooper, on the contrary, seems to have clearly perceived the disastrous effect which the measure would have, both upon the Company and the credit of the City, in bringing into the market so large an amount of securities in a season of great pecuniary depression. Indeed, before he left for Washington, on the 2d of June, when Mr. Wickersham, the Chairman of the Committee of Finance, (who subsequently introduced the ordinance providing for the exchange, and who was the only member of Councils with whom Mr. Cooper conversed upon the subject,) called at the office of the Company, and asked Mr. Cooper if it was the intention of the Company to take up the Catawissa bonds. Mr. Cooper replied, that he had conversed with Mr. Moorhead and Mr. Fallon on the subject, and that he understood from them, that they would be willing to make an exchange on certain favorable terms, but that he (Mr. Cooper) had not concluded to make an exchange even on those terms, inasmuch as it would be stripping the Company of too great an amount of its available funds. The terms spoken of by Mr. Cooper were, that the parties holding the bonds would exchange them for one half City sixes, and one half Sunbury and Erie Bonds, terms

Mr. Cooper's
statement.

Mr. Cooper's
statement.

vastly more favorable than an equal exchange of City sixes, dollar for dollar. It is but justice to Mr. Cooper further to state, that it does not appear to have entered his mind, (to use his own language,) "that Councils would have acted on the "subject without some communication from him," "because, before he left for Washington, and before the time that the second million was subscribed, he had had a conversation with a member "of the Railroad Committee, who informed him "that most probably the City would not be disposed "to do more than pay the one instalment on the "subscription; and stated that he thought it would "be the policy of the City to go step by step with "the individual subscribers."

Mr. Price's
statement.

It is proper also to acquit the members of the Board, individually or collectively, of any complicity in this transaction; although many of them were residents of the city, and some of them probably in the daily habit of meeting Mr. Price on business matters; yet none of them were apprised of the proposed exchange, nor acquainted with the action of Councils until informed of it in common with their fellow-citizens, by the daily newspapers. An informal meeting of some of the directors appears to have been called, on Saturday morning, an hour or so before the certificates themselves were exchanged; and two members subsequently allowed their names to be added as present at the meeting. These gentlemen were induced to assent to what had been already done in consequence of the representations made by Mr. Price: amongst other things, that the City required it to be done before 2 o'clock on that day.

Mr. Stokes'
statement.

Mr. Boker's
statement.

Your Committee find it difficult to reconcile the details as narrated in the different statements of Mr. J. B. Moorhead and the other parties concerned in this transaction. As far, however, as they can ascertain the facts, they appear to be as follows:—

As soon as Mr. Cooper, whose reluctance to an exchange of bonds on any except favorable terms,

had been expressed, as already stated, had left for Washington, Mr. J. B. Moorhead, (in the absence of his brother, Mr. W. G. Moorhead, who usually conducted the financial operations of the firm,) applied to Mr. Wickersham to procure the passage of an ordinance authorizing the anticipation of the second, third, fourth, fifth and sixth instalments on the second million of the City subscription, for the purpose of redeeming the Sunbury and Erie bonds. Mr. Wickersham advised Mr. Moorhead to call to see the Chairman of the Railroad Committee. What passed in the intermediate time does not appear from Mr. J. B. Moorhead's testimony; but on Thursday afternoon, Mr. Moorhead and several members of Council met in the office of the Sunbury and Erie Railroad Company, and there the petition of Mr. Price to Councils was drawn up, and at the same time Mr. Moorhead himself drew up the resolution which was presented by Mr. Wickersham, and passed that evening by Councils.

Upon objection being made by a member, that Mr. Cooper had not authorized this application, Mr. Moorhead made a statement to that member which we copy in his own words. "Mr. Randall came from his seat and asked me if this met Mr. Cooper's approbation. I told him that the stockholders, at their annual meeting, passed a resolution directing the Company to use the first available means to cancel the mortgage and lease with the Catawissa Company; that there had that day been a meeting of the Directors, and they were all in favor, and that we had no word from Mr. Cooper, but I believed he was in favor of it. Mr. Randall returned to his seat and made some objections, that the President had not shown his consent. Mr. Wickersham then read the resolution of the stockholders, directing a cancelling of the mortgage, which seemed to be satisfactory to Councils, and nothing more was said against it."

The resolution, the passage of which was effected as above mentioned, was to authorize the Finance

Mr. J. B. Moorhead's statement.

Mr. Price's statement.

Mr. Wickersham's statement.

Mr. J. B. Moorhead's statement.



Journal of C. C., June 8, 1854, pp. 191, 192.

Committee to anticipate the five instalments on the second million, in order to cancel the mortgage and lease, and take up the bonds of the Company guaranteed by the Catawissa Railroad Company.

Mr. Wickersham's statement.

Mr. Price's statement.

Mr. J. B. Moorhead's statement.

On Saturday, the 10th June, Mr. Price, as representing the Company, Mr. Wickersham, as representing the City, Mr. J. B. Moorhead, as representing the contractors and bond holders, met by appointment, in the City Treasurer's office. The City Treasurer does not appear to have participated in the matter further than to execute such certificates of stock as were called for.

The incumbrances, to be released by this issue of City loan, were—

1st. The mortgage to Mr. Boker as trustee.

2d. The lease to the Catawissa Road.

3d. The Sunbury and Erie bonds, guaranteed by the Catawissa Railroad Company.

Mr. Boker's statement.

1st. *The mortgage*.—The trustee gave a duly executed power of attorney to the City Treasurer to satisfy it. As far as your Committee is informed, this has not as yet (Sept. 11, 1854,) been done.

Mr. Price's statement.

Mr. Cooper's statement.

2d. *The lease*.—This was cancelled a few days ago, (Aug. 31.)

Mr. Price's statement.

Mr. Cooper's statement.

3d. *The bonds*.—It has been already stated that five hundred and fifty of these bonds were issued, leaving one hundred and fifty in the hands of the Company. Fifty of those in the hands of the Messrs. Moorhead were taken up by an exchange of City sixes of the first subscription, so that six hundred and forty-two, including the one hundred and fifty in the hands of the Company were returned, leaving fifty-eight unproduced. The City Treasurer, who was not informed of the fact, that fifty-eight Sunbury and Erie bonds were still outstanding, issued the whole half million, in a single certificate, to the Sunbury and Erie Railroad Company, which was subsequently returned and new certificates issued, as per his statement hereto annexed. The fifty-eight Sunbury bonds were composed of—

Mr. W. G. Moorhead's statement.

One bond to Messrs. Moorhead, subsequently returned to the Company, and by it to the City.

Seven bonds subsequently returned to the City by Mr. Wickersham. Exhibit No. 4.

Fifty bonds placed in the hands of Mr. Cooper, for the purpose of effecting a loan in New England, and by him given to Mr. Crane for that purpose; but by Mr. Crane hypothecated as security for the sum of \$33,000. The proceeds were not paid to the Company. Mr. Price's and Mr. Cooper's statements.

These bonds have been redeemed by Mr. Cooper, within the last few days, in the following manner. Mr. Dillon applied a part of the money due by him on his share of the first instalment of the Crane subscription to lifting a portion of the bonds. The rest were redeemed by taking \$18,000, also a part of the first instalment of the Crane subscription, which was paid by the Messrs. Gamble and others, for which Mr. Cooper and Mr. Price are personally responsible. These fifty bonds have been returned to the City Treasurer, and thereupon the lease to the Catawissa Company was cancelled.

It is proper to state that the Sunbury bonds were taken by some of the parties who held them at prices much below par, but that the City sixes were issued bond for bond, the effect of which was to give the parties receiving City sixes those securities at the price at which they had agreed for the Sunbury bonds. Mr. Fallon's statement.

The condition of the City subscription is therefore this:—

1854.

| | |
|--|-----------|
| April 28. For the 1st instalment on subscription of 10,000 shares, - - - | \$100,000 |
| June 2. For the 2d, 3d and one half of the 4th instalment, on the first subscription of 10,000 shares, - - | 250,000 |
| June 2. For the 1st instalment on the 2d subscription of 10,000 shares, - | 100,000 |
| June 10. For the 2d, 3d, 4th, 5th and 6th instalments on the second subscription of 10,000 shares, - - | 500,000 |
| | \$950,000 |

Exhibit No. 5.

Mr. W. G. Meershead's statement.

Ante, p. 5.

Leaving a balance of unpaid subscription of a million and fifty thousand dollars.

Mr. Cooper's
statement.

To the amount thus stated above (\$950,000) as paid by the City, there should be added the District of Richmond subscription, (of \$250,000,) for the whole of which bonds were issued upon its being made. This subscription is now, by the Consolidation Act, part of the City debt, so that the actual amount of City loans issued on account of the Sunbury and Erie Road is \$1,200,000.

Your Committee further report, that in discharge of their duty, they visited the office of the Company, for the purpose of examining its books; that the books exhibited to them consisted of a Receipt Book and a Cash Book. The Cash Book, which appeared to answer for Ledger, in fact for an entire set of books, was so kept that your Committee were satisfied that they could not, without a very laborious and protracted examination, and without making up from it a correct set of accounts, report accurately and satisfactorily to your body as to the condition of the finances of that Company, or the manner in which the large amount paid by the City had been disposed of. As nearly as they could ascertain, however, the cash balance (as it is termed under the mode of keeping accounts pursued by the Company,) was, August 31, 1854, about - - \$420,063 95

Made up as follows:

| | |
|-----------------------|-------------|
| Cash on hand, - | \$45,454 41 |
| Erie City Bonds, - | 125,000 00 |
| District of Richmond, | 150,000 00 |
| Philadelphia Sixes, | 81,000 00 |
| | <hr/> |
| | 401,454 41 |

Deficit, about - - - \$18,609 54

This \$18,000 deficit is, as your Committee understands, the sum used in the lifting the remainder of the outstanding bonds as heretofore mentioned.

Ante, p. 15.

In view of the interests of the City, both as a stockholder and otherwise, in the condition and prosperity of the Road, your Committee recom-

mend to Councils the appointment of a competent accountant to make a thorough and complete examination and report of the past receipts and disbursements, and the present financial condition of the Company.

In conclusion, your Committee beg leave to express the hope, that the examination which they have conducted, as they believe, in a candid and impartial spirit, may not be without benefit; but that the facts elicited may enable both Councils and the citizens at large, better to understand their position in regard to this particular Company, and better to guide their future action as to similar applications.

The above report is respectfully submitted.

THOS. BALCH, *Chairman*,
J. W. MARTIEN,
CHAS. MAGARGE,
A. M. EASTWICK,
D. S. HASSINGER.



APPENDIX.

After the foregoing report was prepared and settled by the committee, Mr. Cooper made a statement, explanatory of the condition of the Choteau subscription, and also informing that the several sums to be paid by Mr. Dillon, on account of the first instalment of the Crane subscription, were now paid to the company. Mr. Cooper's communication is as follows :

OFFICE OF THE SUNBURY AND ERIE R. R. Co., }
Philadelphia, September 12, 1854. }

THOMAS BALCH, Esq., Chairman Committee of Councils,
&c., &c., &c. :

Dear Sir—In pursuance of my promise made to you this morning, in relation to the Choteau subscription, I send you the following statement, which I make altogether from memory, the papers having been destroyed, when the contract in relation to the subscription was subsequently changed. Josiah Randall, Esq., was, however, privy to the whole transaction, and will, I have no doubt, confirm every material part of the following statement :

Messrs. P. Choteau, Jr., Sandford & Co., subscribed, on the 10th February last, five thousand shares, or \$500,000 to the Capital Stock of the Sunbury and Erie Company. The first instalment was to be paid in iron ; but, as they had no suitable iron on hand on that day, they gave their check for the amount, which was to be returned as soon as the iron was delivered, provided, I think, that the iron should be delivered in ten days.

Within the time specified, seven hundred and twenty-two tons were deposited with the public storekeeper, and his certificate delivered to us. I think his name was Wetmore. When the iron was thus delivered to us, the check was returned to Messrs. Choteau & Co.

Subsequently, this subscription of \$500,000 was assumed by the Montour Iron Company, and Choteau & Co. released from

their obligations to pay the subscription. This change of parties was to the advantage of the Sunbury and Erie Company, the Montour Company, owing to the increase in the price of freights, from abroad, being able to deliver their iron on the line of our road, as cheaply or more cheaply, than the foreign iron could be delivered in this City, or the City of New York.

In releasing Choteau & Co. from their subscription, and substituting the Montour Company, the Sunbury and Erie Railroad Company agreed to receive four thousand tons, which had been ordered previously to the change in the arrangement. This change was made before the subscription of the second million by the City, and was expressly referred to in my communications to Councils, when I informed them, that the requirements of the Ordinance of the 7th of January had been complied with in respect to the second million. This you will see by referring to my communication.

I also desire to state, that the whole of the first instalment on the Crane subscription has been fully paid, as the committee can ascertain by a reference to the Cashier of the Girard Bank, and to the books of the company. Mr. Dillon has also paid *the whole of the several sums*, for which the Catawissa bonds (so called) were hypothecated. I refer to the fifty bonds outstanding at the time the exchange was made on the 10th of June last.

I need not repeat why it was. The first instalment having been paid, and the company credited with it on the books of the Girard Bank, I took the responsibility of leaving it in the hands of Willis & Co. The reasons for so doing I have given already, and only recur to the subject for the purpose of relieving Mr. Boker of all responsibility and blame. Whatever there may be of praise or blame, for having done so, rests with me alone. For reasons satisfactory to myself, I assumed the responsibility, and I have no desire to shift it from my own shoulders to those of any other person.

I am, dear sir, very respectfully,

Your obedient servant,

JAMES COOPER,

President S. & E. R. R. Co.

AUGUST 21st, 1854.

Committee met.

Present—Chairman, Mr. Eastwick, Mr. Hassinger, Mr. Martien.

The Committee was attended by Judge Thompson, of Erie, Director in Sunbury and Erie Railroad, and also by Mr. W. G. Moorhead.

Mr. Moorhead Examined.—I am one of the contractors on the Sunbury and Erie Railroad; have been for nearly two years; from Sunbury to Lock Haven; the contract is in writing; I have it not with me; I will produce it; the contract was for work by items, and not by mile; we were to be paid on our first contract, in cash seventy per cent., and in stock thirty per cent.; on that contract we have received about \$130,000 or \$140,000 in cash; the stock remained; it comes in the final estimate; a portion of it—ten per cent.—is retained as security by the Railroad; these payments are not in settlement of our first contract; this was the first contract; the Company then found they could not raise the means to fulfil their contract in cash; they proposed a modification, by which we were to take in payment eighty per cent. of the Company's bonds, first mortgage, secured by Catawissa and Elmira Railroad; twenty per cent in stock; the Company reserving the right to pay us in cash, at a discount of twelve per cent., paying monthly estimates regularly; we took bonds and stock at par; it was the bonds alone which were to be cashed at twelve per cent.; before we agreed to make any change in our first contract, it being necessary for us to refund, as part of the new contract, the \$130,000 or \$140,000 which we had already received in cash, we obtained assurances from Mr. Fallon and E. W. Clark & Co.; Mr. Fallon's arrangement, which was in writing, was to take the bonds at eighty-five, and advance us \$120,000 to \$250,000, he to hold the bonds as collateral, but to have the privilege

of taking them at eighty-seven and a half, at any time before maturity of the notes which we gave him; he gave us cash, but discounted the notes at more than six per cent., but less than the market rate; the arrangement with E. W. Clark & Co. was a similar one; they are our general bankers, and they agreed to take the bonds as collateral, and give us funds, but the arrangement was general, not specific; when the Company gave us these bonds, they asked us not to put these bonds beyond our control, if we could possibly avoid doing so, at least without giving them notice; we retained these bonds until May or June, 1854; I think early in June; Mr. Drexel (the elder) came to me and said he was going to Europe—if we had any bonds he would like to take them and negotiate them for us; I proposed to send about \$400,000 of Sunbury and Erie Railroad bonds, provided the Company did not redeem them before he sailed, when I immediately notified the Treasurer of the Company of this proposition, and unless they then redeemed, I would be obliged to give them to Mr. Drexel, who proposed to sail in about two weeks from that time; I left the city and was absent about ten days; I received a telegraph before my return, that the Company proposed exchanging the bonds of the City for the bonds we then held; I telegraphed in reply, not to make the exchange unless the interest would be allowed us for the time expired, as I regarded the seven per cent. bonds fully equal to the City sixes, and my brother made the exchange, leaving the matter of interest for future adjustment; the amount of bonds exchanged with the Company thus, are as follows:—

| | | | | |
|--------------------|---|---|---|-----------|
| E. W. Clark & Co., | - | - | - | \$117,000 |
| C. & J. Fallon, | - | - | - | 121,000 |
| Girard Bank, | - | - | - | 50,000 |
| Drexel & Co., | - | - | - | 22,000 |
| R. & W. G. M., | - | - | - | 86,000 |
| W. G. M., | - | - | - | 1,000 |
| | | | | <hr/> |
| June 10th, | - | - | - | \$397,000 |

In this settlement we refunded to the Company the amount of cash previously received, say \$120,000 to \$130,000; the only party who had any right to take the City sixes given to us in exchange, as above mentioned, was Mr. Fallon, with whom we made the arrangement already stated; none of the

Sunbury and Erie Railroad bonds ever were sold or offered in the market; the bonds were to be applied to that particular section between Milton and Williamsport, and no parties could receive them except such as were engaged in the contract for that section, or contingencies connected with its construction; we did not furnish the iron; Mr. Tucker did, and he had a claim to the bonds as well as ourselves.

None of our notes to Mr. Fallon were due when he took the City sixes; he allowed us interest for the unexpired time; my brother represented our firm in all the negotiations between us and the City Councils as to the exchange of sixes for the bonds; Mr. Fallon took the City sixes at eighty-seven and a half.

(Signed)

W. G. MOORHEAD.

AUGUST 23d, 1854.

Committee met—all present, also Judge Thompson.

Mr. Christopher Fallon—Examined by Mr. Balch.—I was President of the Sunbury and Erie Railroad, from October, 1852, till October or November, 1853; there were no subscriptions made by the Old City of Philadelphia during my Presidency.

Last winter, prior to the general election of the Directors of the Railroad Company, I had been informed that a subscription of a million and a half of dollars had been made to the Company; stock had been obtained through Mr. Cooper's influence, he being understood to be a candidate for election as President; in advising Mr. Moorhead on the subject, I told him that I thought he ought to vote for such person as would bring substantial aid to the Company; that if Mr. Cooper had obtained that amount of subscription from substantial parties, and the first instalment actually paid, I thought that was quite a sufficient assurance that Mr. Cooper deserved his support; but that I was very desirous to see the written evidence of the fact of the subscription, and to learn by whom it had been made; a day or two after the book of subscription was brought to me, showing a subscription by Choateau, Sandford & Co., of five thousand shares, (\$500,000,) by Crane, Dillon & Co. nine thousand shares, (\$900,000,) and \$100,000, (one thousand shares,) by some friends of Crane; I was asked if I was satisfied; I said no; not unless

I saw the instalment paid; this was on Saturday afternoon prior to the election which took place on Monday; I was told I should see the evidence of the payment of the instalment. Mr. Moorhead came in just as the book was being taken out. I told him what I had seen; a doubt was expressed of the sufficiency of the subscriptions. I advised him to satisfy his own mind as to that, as I could not satisfy mine without proof of sufficiency; and if he should not be satisfied, I advised him to employ Mr. St. George T. Campbell to draw a bill to enjoin them from voting. Before he left my office, some of the officers of the Company returned with the subscription book and the evidence of the payment of instalments—unless, perhaps, the \$100,000 be excepted; but I am pretty sure it was of the whole million and a half. The instalment of Choteau, Sandford & Co. was shown to have been paid, by the order and receipt of a New York warehouse man, showing that he held a quantity of iron, transferred by that firm to the order of the Sunbury and Erie Railroad. I was informed that the whole subscription was to be paid for in iron, at prices which I knew at that time to be perfectly fair. I knew of no private agreement with Choteau—never heard of any. The evidence of payment of the rest of the instalment was a check for one hundred thousand dollars, drawn by Crane on Crane, Dillon & Co., on some bank in Boston. That check was several days old. I asked why it had not been drawn in Boston, or certified or deposited here for collection. Some reason was assigned to me—I really forget what it was—but Mr. Moorhead was very much dissatisfied. Mr. Jackman and Mr. Price were present. Mr. Jackman was not satisfied—said he wanted no kiteflying checks, or something of that kind. Mr. Moorhead and I, immediately on the other parties leaving the office, went to E. W. Clark's, the broker, told him or Mr. Cook (of the firm) of the circumstances; suggested their telegraphing to Boston, as to Crane's account with that bank, and how far the check was good. This gentleman (Mr. Clark or Mr. Cook) on the whole, gave us rather a favorable account of Crane—of large sums, \$2 or \$300,000 he had recently made—but did not altogether remove Moorhead's doubts. We concluded, therefore, to attend a meeting of friends of Mr. White, a candidate for President, which was to be held that evening, at Mr. Tucker's; but as I had not attended the caucus meetings of either party, and as I wanted every thing

done in a harmonious spirit, I first called on Mr. Cooper, to tell him I was going to Mr. Tucker's. Nothing more was said by me to Mr. Cooper. I went to the meeting with Mr. Moorhead; found Mr. Tucker, Mr. Buck, Mr. Lennig, and other gentlemen present. I stated the facts connected with the subscription and instalment, as already related. Mr. Tucker asked me if I knew the signature of Choteau, Sandford & Co. I told him yes—it was genuine, but that I did not know of the good faith of the subscription; the gentlemen must form their own opinions. Tucker observed, Choteau & Co. were honorable men, and that their subscription was perfectly good. With respect to Crane, he said he knew Mr. Crane by hearsay, and supposed him a man of some wealth, but involved in various schemes: but if he was connected with Mr. White, as it appeared he was, then his subscription was good; but he would telegraph Thayer, of Boston, and would let us know on Monday morning his answer. I should mention here, that I stated at this meeting that I had expressly asked whether there was any contract or secret understanding as to the subscription of Crane; I asked Jackman and Price; and also, if there was not a private understanding, how then could parties residing in Boston be induced to make so large a subscription to a Pennsylvania railroad. I was distinctly told there was no understanding or agreement of any kind, excepting one with the Venango Railroad Company, in which Mr. Crane and Mr. White were interested, and who were therefore desirous to extend their road eastward from the point of junction with the Sunbury and Erie Railroad. I stated to these gentlemen, at the meeting, that this agreement had been produced. It was the same as afterwards published in newspapers, and I said I thought it was such an one as accounted for Crane's subscription, and one which was very beneficial to Sunbury and Erie and to the City of Philadelphia, and one which I would have recommended without any subscription by the Venango people. Mr. Tucker then moved, and it was seconded by Mr. Lennig, that all parties should go in for Mr. Cooper, and there should be no contest; which motion was carried. I had not been at all prepared for the result—expected exactly the opposite; but I told all the gentlemen there that if such was the result of their judgment, they ought to support Mr. Cooper in earnest. I was prepared to do so. They all said they would.

The answers sent to the telegraphs of Tucker and Clark were not satisfactory as to Crane's bank account—nothing could be learnt as to that; in other respects the telegraphs were satisfactory. I immediately proposed to Mr. Moorhead to return to Mr. Cooper, and communicate the result. The other gentlemen authorized us to do so in their names. I did so; but advised Mr. Cooper to deposit the check on Monday for collection—that no one would be satisfied unless done. He promised to do so. The following Monday he was elected, but was obliged to leave at an early hour, sick; which was assigned to me as the reason of his not depositing the check. I think the check was payable to Mr. Cooper. I inquired about the check some days after, as I was uneasy, and finally I was shown bank book, with deposit of \$100,000 in Girard Bank. I was determined to be more than satisfied, asked the loan of the bank book, was lent it, took it in, and asked Mr. Boker what was that \$100,000 instalment on New England subscription. It was a week or so after Mr. Cooper's election. I certainly believe that check was paid. After I retired from the Presidency, the road was about falling through. Mr. Moorhead could get no money, but expressed himself willing to take the Company's bonds in payment, provided the bonds should be guaranteed by the Catawissa or Elmira Railroad, and also some modification of his contract, and also that he could make some arrangement to raise money upon them. He applied to me about it, and our firm agreed to lend him from one to \$300,000, in monthly instalments, on his firm's notes, with the security of these bonds. I looked to the Moorheads, as I knew them to be good. He made a similar arrangement with E. W. Clark & Co. for an amount which, with our own, enabled him to keep the bonds out of market. Upon that a contract was made with the Company, and Mr. Moorhead and Mr. Tucker effected a lease to the Catawissa Company of a portion of the Sunbury and Erie Road, in consideration of the guarantee of the Catawissa, and the Elmira. The contract was in writing. I thought it a hard one, but the Sunbury and Erie could do no better. I loaned to Mr. Moorhead, from time to time, under this arrangement, receiving as security of his notes the bonds of the Company, and held at the time of the exchange for City bonds, some \$120,000, or thereabouts; besides which I held three (\$3000) which were paid to me in settlement of a

balance due me for moneys advanced to the Company. The rest of my accounts were settled by credits of my stock subscription. The bonds I held were surrendered to Mr. Price some two months ago, in exchange of a like amount of City bonds—\$100,000 of which were made payable to my order, and \$24,000 left in Mr. Wickersham's hands, subject to my order, and subsequently transferred to Mr. Moorhead, in settlement of my account with him—less the six months' interest, which I had remitted with the consent of Mr. Moorhead. One of Moorhead's firm had given his consent to the exchange. I held them as securities for monies loaned at less rates than the market.

CHRISTOPHER FALLON.

AUGUST 24, 1854.

Present—Chairman, Mr. Eastwick, Mr. Magarge, Mr. Hasinger.

Mr. Fallon's examination continued.—I have no knowledge whatever of the Crane check, whether paid or not paid, except such hearsay information as I have already stated, and the entry in the bank book. I saw Mr. Boker at the Bank when I went to inquire about the check. I took the bank book with me, and asked Mr. Boker if it was a credit on account of the instalment of Crane's and others' subscription. He said yes, it was all right, or some such words; but beyond that I have no knowledge, one way or the other, of the payment or non-payment of the check.

CHRISTOPHER FALLON.

With regard to the stockholders' election on Monday—I mean the election at which Mr. Cooper was elected—it took place after ten o'clock in the morning. I presided at the meeting of stockholders before the election. The election continued during the day; and after the votes were in, the stockholders' meeting, that had adjourned, reassembled in the afternoon, to receive the report of the tellers. The Crane stock was actually voted on, although at the time the check was not deposited. Mr. Cooper had pledged himself on Saturday, to me, to deposit it; I believed that the check was deposited—fully believed it, or else I, as a stockholder, would not have consented to that stock being voted upon. I know nothing of

the subsequent history of that check, except what I have stated. Mr. Cooper was at the stockholders' meeting prior to the election. I was not present at the election until a few moments before the polls closed. It was in the Bulletin building, next door to the Bank. I fully believed the check was deposited, according to Mr. Cooper's promise. I have no doubt that if Mr. Moorhead had not been satisfied at the meeting at Mr. Tucker's, that the Crane subscription and the Choteau subscription, or at least one, if not both, were substantial and without any secret understanding, then I am confident, from my conversations with Mr. Moorhead, that he would have voted differently from what he subsequently did, and an application would have been made for an injunction against voting on the Crane and Choteau subscriptions, and the result of the election would have been different; not the slightest doubt of a different result to the election but for a belief in the *bona fide* character of the Crane and Choteau subscriptions, or one of them. Neither Mr. Moorhead nor myself were altogether satisfied with the Crane subscription; but Mr. Tucker and some of the other gentlemen spoke so decidedly upon the subject of the Choteau subscriptions, that Moorhead, finding that that subscription alone was sufficient to overrule him, determined, with my approbation, to put the best face on it and go for Mr. Cooper. I saw one telegraph from Boston. On my way down to Clark's, with Moorhead, on Saturday afternoon, I met a gentleman whom I knew took great interest in this matter, and I asked him to do me the favor to telegraph some friends of his in Boston, to inquire whether Mr. Ed. Crane, or Crane, Dillon & Co., were good, reliable men for \$100,000, and whether a check of theirs for that amount ought to be received as cash by a prudent man. I told him not to ask me why I inquired, but that the inquiry was directed from motives that greatly concerned him and the Sunbury and Erie Railroad, both in interest and feelings, and that I must have an answer from Boston immediately, cost what it might. He did so; returned to me in an hour and a half, stating that his clerk had waited in the telegraph office for return of answer. It stated, "that Mr. Crane was worth more than \$200,000, but was not worthy of confidence—was not a reliable man." This was the substance of what it said. I stated this at the meeting at Tucker's, but it did not alter their views. The gentlemen there were greatly influenced by the Choteau subscription.

CHRISTOPHER FALLON.

AUGUST 28th, 1854.

Present—Mr. Balch, Mr. Eastwick, Mr. Magarge, Mr. Martien, Mr. Hassinger, Hon. Jas. Cooper, President of Sunbury and Erie Railroad.

Chas. S. Boker, Esq.—Examined by Mr. Balch.

I am President of Girard Bank; Mr. Cooper came in, representing that he had funds in Boston to amount of \$100,000; he asked me if I would take the same; I remarked to him that safety was the first consideration with a bank, and accommodation of our customers the next; I then remarked, it was a large amount, and I would not have the courage to credit the company as cash, without strong assurance that they would be duly honored when they reached their place of destination. We are in the habit of daily taking large amounts on New York and Boston, as cash, from customers in good standing. He then said, that the only conditions annexed to his draft on Boston, were, that the parties were to have two or three days' notice. He was to notify them.

Mr. Cooper then said, that in addition to a check which he had, he had unquestionably good collateral security in the hands of Messrs. Willis & Co., of Boston, who were our correspondents at the time. Then, I said, I would prefer writing on to Boston, and inquire of those gentlemen in reference to the goodness of the parties who assume to pay this \$100,000, and the securities placed in their hands as collateral for payment of this check. Mr. Cooper then went away; I did write, and received very satisfactory answer as to the probability of the check being paid, and assurance that the securities were in their hands, consisting of bills receivable, and stocks, which at a valuation attached by them, was considerably above \$100,000. Sometime, a few days after the receipt of that letter, Mr. Cooper came in; he said he wished to avail himself of privileges granted to our customers, (they, at that time, kept their account with us; I took the check or draft on Boston; I gave him credit for it as cash, with the understanding that the parties were to have the two or three days' notice. Subsequently to that, Mr. Cooper called; he said that he had made other arrangements with the parties, and that I need not send the checks on. All checks received in that way are taken at the hazard of the depositor, and are duly honored by the depositor, if not paid. Therefore, we considered this under the control of the depositor until paid.

The object of our taking security, was to guarantee that the check would be taken up, if returned. All parties doing large business with us, keep with us collateral security as a guarantee against their general operations. I then returned all the papers, including the check, either to Mr. Cooper or Mr. Price. I considered the transaction closed, and made a charge against the company of the same amount as the credit of \$100,000. Mr. Cooper subsequently told me that the money was perfectly safe, and that it was being paid quite as fast as the wants of the company required, thereby saving interest, and that he was bringing in parties much stronger than the original parties, to carry out the original design—Pennsylvania parties—so as to take away the effect of its being an Eastern subscription. I did not ask the particulars, as it was under the direction of the President.

Mr. Cooper examines.

Answer—Willis & Co. were then in good credit—considered highly respectable.

Mr. Boker continues.—Mr. Price assumed, I believe, the whole responsibility of the exchange of the City sixes, on the 10th of June; he said that the City required it to be done before two o'clock on that day; it was all cut and dried before he came to me; he asked me to go up to the City treasurer's Office; I was trustee under the mortgage by the Sunbury and Erie Railroad Company; I was urged to go, as Mr. Price said it must be done before two o'clock—that Mr. Moorhead was about making arrangements which could not be delayed, that would put the Catawissa bonds beyond the control of the company, and consequently could not carry out what Mr. Price represented to be the desire of the City, the Councils having passed the resolution to have the bonds cancelled. Mr. Price first spoke to me about the exchange of the City sixes—I think the day before—a very short time before the exchange was effected. The papers, which were returned to Mr. Cooper, were the statement of Willis & Co. of the securities in their hands. The securities were in Boston; but, by the statement which they gave us, that they held the securities, they rendered themselves liable until the return of the check to Mr. Cooper.

C. S. BOKER.

SEPTEMBER 1st, 1854.

Mr. Balch examines.

Mr. Boker states further.—The check spoken of in my foregoing statement, was deposited by Mr. Cooper on the 9th March, 1854, and sometime between the 10th and 16th of March, Mr. Cooper told me, as I have stated, that he had made other arrangements. I cannot fix the exact day when he told me so; but the 16th March, 1854, was the latest day on which I laid aside the check and securities, and the charge was made against the company of \$100,000. The 16th of March was the latest day, but I cannot tell what day before that time. It might have been that I laid aside the check and securities. We never connect any condition to deposits made with us. They are always at the control of the depositor from the time that credit is entered for them. C. S. BOKER.

Copy of Correspondence referred to, and produced by, Mr. Boker.

WILLIS & Co's. EXCHANGE AND BANKING HOUSE, }
No. 25 State Street, Boston, Feb. 17, 1854. }

Hon. James Cooper, Prest. Sunbury and Erie R. R.:

DEAR SIR—We are requested by Messrs. Dillon, Crane & Co. to say to you that they have deposited with this house for their account—proceeds of which, when sold, to be placed to their credit—the following securities, viz:—Seventy thousand dollars, of three and four months' acceptances, payable in Boston: Eight hundred and ten shares Boston and New York Railroad stock, the market value of which is about seventy dollars per shares, for one hundred paid, say rising fifty thousand dollars; five hundred shares Byetown and Prescott Railroad, the par value of which is £10 currency, or \$40—quoted in Mantua at 80 per cent., we are informed.

We are directed by Messrs. Dillon, Crane & Co., to hold these securities, or the proceeds of them, specially to meet their draft of one hundred thousand dollars held by you, until the same is satisfied. Very respectfully, WILLIS & Co.

TELEGRAPH DISPATCH.

GIRARD BANK, }
Philadelphia, March 2d, 1854. }

Messrs. Willis & Co.:—Are we safe in cashing the check of Crane, Dillon & Co., dated Feb. 10th, 1854, for one hun-

dred thousand dollars drawn on your house, to the order of James Cooper ?

Yours, respectfully,

W. L. SCHAFFER, *Cashier.*

—
 WILLIS & Co's. EXCHANGE AND BANKING HOUSE, }
 No. 25 State Street, Boston, March 3d, 1854. }

W. L. Schaffer, Cashier :

DEAR SIR—We received your telegraph yesterday, and replied at once. Dillon & Crane have deposited with us a large amount of securities, including the receipt of \$100,000 for their first instalment of S. & E. stock, and it is their intention to convert them, they tell us, in season for the payment.

The securities in our hands are worth, in this estimate, more than enough for this purpose. We know nothing of the matter save this. Respectfully yours, WILLIS & Co.

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Mr. Cooper's Statement—made by him from his Written Notes.

I am President of the Sunbury and Erie Railroad ; I was elected on 21st January, 1854, by the Directors ; on the 13th of February, the annual meeting of the Stockholders took place, and I was then elected by the Stockholders ; sometime in February, Crane & Co., and others, made a subscription of one million of dollars to the Sunbury and Erie Railroad ; the first instalment of ten per cent. was paid by a check drawn by Dillon, Crane & Co., on Willis & Co., bankers, of Boston ; the check (I think) bears date 10th February ; sometime afterwards I deposited the check in the Girard Bank, and a credit to the amount of it was entered in favor of the company ; when I presented the check to Mr. Boker, President of the Bank, he said the sum was a large one, and that bankers were in the habit, where a credit for so large a sum was given, of having some collateral security until the money was received for the check ; I informed him that I had collaterals in the hands of the bankers, whose certificate or letter to that effect I delivered to him, requesting him, at the same time, to ascertain from the bankers with whom they were deposited, their character and value. He did so, and having ascertained, as he informed me, that the securities were unexceptionable, he gave the company a credit on their bank book for the sum of one hundred thousand dollars, the amount of first instalment ; sometime after-

wards, I told Mr. Boker not to draw for the money until he should hear from Mr. Price or myself. At or about the time I deposited the check with Mr. Boker, I requested him not to collect the check until after giving him two or three days' notice; the reason why I left the money in the hands of the bankers was, that reports having been circulated that the City would not complete its subscription; and, after it had subscribed, it was asserted that ways would be found to prevent the Mayor from issuing the bonds, in consequence of such reports, and of letters addressed to some of those who were interested, giving it, as the opinion of the writer, that the City would never subscribe, and, after it had subscribed, the subscription would not be carried into effect, nor the road ever be built to Ridgeway, the point at which they expected to derive an advantage from it; the subscribers became restive, and talked about, and, no doubt, were at one time disposed to withdraw their subscription; some of the subscribers being alarmed, counselled this course, and it was to prevent it, that I agreed to let the money remain in the hands of Willis & Co., until such times as we should need it; I had securities, in the shape of an assignment of stock, &c., in my hands, which I considered ample for the protection of the company; no call was made for the money until, I think, sometime in June; I then notified Crane that part of it was wanted, and that we should want it all soon; he commenced paying shortly after that, and payments were made at three or four several times, amounting to \$35,725; in the meantime, Willis & Co. had failed, and rumors, afterwards verified, of gross misconduct and fraud on the part of Mr. Crane, got abroad; I, however, held the assignments of the securities in Willis & Co.'s hands, and felt that there was no danger of ultimate loss; I, nevertheless, took immediate steps to obtain additional security for the whole of the subscription, which I afterwards succeeded in doing; after the report in regard to Crane's over-issue of stock in the Vermont Central Road, I became anxious to increase the security of the company for the whole subscription, and steps were taken at once to bring in a number of the friends of the Venango and Sunbury and Erie Railroad, residing in Pennsylvania, and this object was ultimately effected; a number of wealthy and highly influential gentlemen, interested in these improvements, assumed one-half of the subscription, both parties remaining liable to the company for the

whole; amongst them were the Messrs. Gamble, Burns, Ross, White, and others; John A. Gamble & Co. and General John Ross & Co., gave their note for one-half of the first instalment, (\$50,000,) payable at forty days after date, and I have no doubt that the note will be paid at maturity, which will be in three or four days; I think this arrangement was completed on the 21st day of July, or thereabout; there will remain of the first instalment, after the payment of this note, \$15,000; this I expect and believe will be paid during the week, and would have been paid before this time, but for reasons growing out of another transaction, to which I am about to refer. Sometime in April or May, we supposed that we would be called on shortly to pay for certain iron, which we expected to be delivered sometime in May or June, and a resolution of the Board of Managers was passed, authorizing the President and Treasurer to negotiate certain bonds of the company. In pursuance of this authority, I received from the Treasurer, fifty of the Company's bonds, guaranteed by the Catawissa company, for the purpose of raising a loan upon them, to be paid afterwards, when other means should be realized. Understanding that a loan could be negotiated in New England on more favorable terms than it could be here, I placed these bonds in the hands of Edward Crane, to be negotiated; he hypothecated them, as I afterwards learned, in two or three different places, raising upon them, as I have ascertained, the sum of \$33,000; shortly after this time, his first difficulty occurred; I presume he appropriated the money to his own use—at any rate he paid none of it to the company; as soon as I heard of his conduct, I sent on an agent to ascertain what had been done with the bonds; he received but little satisfaction from Mr. Crane, but got him to agree to meet me in Washington; Mr. Crane returned to the agent seven of the bonds; he had fifty in all; a few days after this, I think some days previous to the middle of July, I met Mr. Crane and Dillon in New York, and Crane then agreed to take up and return the bonds, or to get Mr. Dillon to do it; at that time, Mr. Dillon declined doing it, but subsequently he entered into an obligation to redeem the bonds hypothecated by Mr. Crane, and return them to the company, he, Mr. Crane, having given him some security; this was before Crane's final failure; sometime, about two or three weeks since, Mr. Dillon came on here to pay the residue of his portion of the first instalment,

according to the arrangement that had been made, but as the obligation, to secure which these bonds were hypothecated, was about to become due, we requested him to use the money he had in lifting them; in pursuance of this request, he appropriated the money for that purpose, and eighteen of these bonds were redeemed, and sent back, two or three or four days ago—sometime last week; there are still twenty-five of these bonds out, but we have the assurance of Mr. Dillon, as well as his obligation, that they shall be taken up this week or next, and I think he will not fail to perform his promise; we have security in our hands, both for this and the balance of the instalment.

August 29, 1854.

Present—Messrs. Balch, Martien, Magarge, Eastwick, and Hassinger.

Mr. Cooper examined by Mr. Balch.—Mr. Crane's connection with the Sunbury and Erie Railroad ceased on the 21st of July last; on that day he assigned to Dillon & Co. all his interest in the subscription, and they assumed all his obligations and liabilities in respect to it, and on that day the Pennsylvania parties, viz: Messrs. Gamble & Co., Ross & Co., and others, became parties to the subscription originally made by Crane & Co., and gave their note, payable in forty days, for the one-half of the instalment; since yesterday, there has been paid on their note, \$39,573 32; (Mr. Bailey's check on the Girard Bank, dated August 28, 1854, payable to the order of John A. Gamble, and by him endorsed, payable to the order of Philip M. Price, Treasurer Sunbury and Erie Railroad;) Mr. Bailey is State Treasurer; during the pendency of the negotiations, to bring in the Pennsylvania parties already referred to, I held 810 shares of New York and Boston Railroad stock; 500 shares Prescott, (Canada;) note on Sidney Dillon for \$20,050, secured by an order on the final estimate of the contractors who built the last portion to be finished of the railroad connecting the Boston and New York road with Boston; also, endorsed acceptances in the hands of Willis & Co., to the amount of \$27 or \$28,000; about the last of May or the first of June, and before the subscription was made by the city of the second million, a good deal of difficulty had arisen, in consequence of the fact that, it was believed that

the control of the company, owing to the subscription made by Crane & Co., was in the hands of eastern men, who were unconnected by locality or interest with the City of Philadelphia or the State of Pennsylvania; and to obviate the objection, which seemed to have some force, a negotiation was commenced with some of the parties before referred to, and who had a deep interest in the completion of the Sunbury and Erie and Venango Railroads, to induce them to take a part of the stock which had been subscribed by Crane & Co. These negotiations were carried on for some time, and, finally, an arrangement was made on the 21st of July, as already stated, by which these parties became associated with Dillon & Co. (Edward Crane having withdrawn from all connection with the road, on the same day,) in the subscription, and became liable with them to the Sunbury and Erie Railroad Company for the whole of the subscription, and gave their note, the note heretofore referred to in my statements for the one-half of the first instalment, (\$50,000,) on which the sum of \$39,573 32 has been received as per check herein stated.

Mr. Hassinger.—It has been stated that a condition was annexed to this subscription of \$1,000,000.

Answer.—There was no condition, whatever, of any kind or character. They understood, undoubtedly, that we would build the road, but it was never mentioned at the time.

Mr. Balch.—When did you first hear of the proposed exchange of City sixes and Sunbury and Erie Railroad bonds?

Answer.—The first I ever heard mentioned in relation to the exchange of these bonds, was at a meeting of the stockholders on the 13th of February last; on that day a resolution was passed by the Stockholders, either directing or recommending the company to take steps to take up the bonds, or free themselves from the Catawissa Company; after that, I heard nothing further upon the subject, until the Railroad Committee of Councils presented to the company for their acceptance certain conditions on which the City Subscription was to be made; one of these conditions recommended that the company should, as early as practicable, discharge itself from any obligation to, or connection with, the Catawissa Company; that condition was not insisted on being made public by the committee, and, along with two others, was waived; subsequently, the subject of the Catawissa bonds had been frequently discussed by members of the Board, but no determi-

nation ever was come to, that it was expedient to make the exchange; the next day after the second subscription was made by the City, I returned to Washington; I think, on Friday; I had been here several weeks previously; on Monday I received a telegraphic dispatch from Mr. Price to return to Philadelphia, but not stating the object which required my attention here, and knowing no necessity for my presence, and having a large amount of business on my hands, I replied that I could not come unless something urgent rendered it necessary; on Wednesday morning I received a second dispatch, requesting me again to return to the city, but without stating for what purpose; I did not come, nor did I know anything of the object, until Friday evening following, for which my presence here was needed; I then learned from the newspapers, that the Councils had anticipated five of the instalments on the second million, for the purpose of taking up the Catawissa bonds, (the Catawissa bonds, so called, were really the bonds of the Sunbury and Erie Railroad Company, bearing the guarantee of the Catawissa Company;) the same night I addressed a letter to Mr. Price, and put it into the letter box at the National Hotel, in which I requested him to forbear all further proceedings in relation to the exchange of those bonds; this letter ought to have reached Mr. Price the next afternoon; but it was not received, as he informed me, until the Monday following; I would have telegraphed on Saturday morning, but I did not know that the arrangement in contemplation would have been made that day, or that the term of office of the late Mayor expired on that day.

Mr. Balch.—Did you receive any telegraph on Friday from Mr. Price? Was any sent?

Answer.—No, sir; none was sent, at least none was received.

Question.—What was the first official communication you received from the office of the company here?

Answer.—The first information I received of what had been done, was by two letters, one from Mr. Price and one from Mr. John W. Stokes, a member of the Board of Managers, both informing me of what had been done on Saturday.

Question.—How comes it that you were not apprised during the eight days previous of what was to be done?

Answer.—I can't tell why it was, except that the necessity of this exchange may not have occurred until after I had left

the City ; and that as the Stockholders and the Railroad Committee of Councils had recommended the exchange, that it was taken for granted that I would acquiesce in what was doing, and I would repeat that Mr. Price did address me a letter, as appears from his letter book, informing me of what was in contemplation.

Question.—Was not your Board of Directors accessible to Mr. Price ?

Answer.—Yes, sir ; there was a majority, I think, in town, but am not certain.

Question.—Do you know, sir, why they were not consulted ?

Answer.—I do not.

Mr. Eastwick.—Was there any power granted to Mr. Price to act for you during your absence ?

Answer.—There was no specific power given to him for that purpose, but it was the custom to consult the Board of Directors in my absence, and to act in matters that arose, while I was absent, without consulting me.

Question.—There was a communication sent by Mr. Price to the Councils, of the 8th of June. Was that communication authorized by the President, or by the Board ?

Answer.—No, sir ; it was not authorized by the President ; I did not know that there was any purpose of making an exchange of the bonds at that time, and I presume that the Board was not consulted, except by calling on the members of it at their residences or places of business, and I do not know that this was done.

Mr. Balch.—Are you aware, from information derived from the Board of Directors, or any of them, that Mr. Price conferred with any of them individually before Thursday night, (8th June,) when Councils passed the resolution ?

Answer.—I am not. I think that one of the members of the Board informed me that he was consulted on Friday in relation to the subject.

Question.—What was your opinion of the terms on which the exchange of City sixes and the Catawissa bonds was effected as regards the interest of the company and of the city ?

Answer.—I was opposed to any exchange at that time of City bonds for the Catawissa bonds, because I thought it would be bad policy for the company, at a season of so much pecuniary embarrassment, to part with so large an amount of available securities as would be necessary for the redemption

of the Catawissa bonds. But if it was once determined that it was necessary to take up the Catawissa bonds, the Sunbury and Erie Company could not well refuse to pay the amount called for by the bonds, especially as the latter bore an interest of 7 per cent. It is, however, right to say, that if I had been present, I would have opposed the exchange on the terms on which it appears that it was made. At the time of the exchange, there was a half year's interest due on the Catawissa bonds, of which the Sunbury and Erie has the advantage.

Mr. Hassinger.—Whether the fact of the existence of a mortgage, by which some thirty miles and all the franchises of the Sunbury and Erie Railroad were mortgaged for the security of these bonds, formed an inducement to the exchange of these bonds for the cancellation of the lease, and to avoid any embarrassment of the Sunbury and Erie Railroad in its operations with the Catawissa Railroad?

Answer.—It undoubtedly did, and with me it formed the only reason why I should have thought of an exchange at all. The Sunbury and Erie Company had it in contemplation, and still has, to make a loan, the proceeds of which are to be used in the construction of the road, and which it was desirable to secure by a first mortgage. The mortgage to the Catawissa Company was a lien not only upon the portion of the road mortgaged, but upon the franchises of the whole road, which it was important to free from this lien, before another mortgage should be executed. It was also stated, that these bonds, (Catawissa bonds,) which were then in the hands of a few persons, would be sent abroad for sale if they were not lifted within a short time, and they be placed beyond the reach of the company. This, at least, is true of the bonds held by Messrs. Moorhead, they holding much the larger part, and I have no doubt that Messrs. Moorhead were about making arrangements to send them to Europe, to be disposed of there.

AUGUST 30, 1854, 10 A. M.

Present—Messrs. Balch, Hassinger, Eastwick, Magarge, and Martien.

Mr. Cooper's Examination continued.

Mr. Balch.—Mr. Cooper, did you ever have any negotiations with the parties holding the Sunbury and Erie bonds, guaranteed by the Catawissa Company as to the cancellation of those bonds, and the lease and the satisfaction of the

mortgage prior to your departure from Philadelphia on the 2d of June, 1854?

Answer.—Yes, sir, I had. I think, when I was in Philadelphia the time before that at which the city authorized the subscription of the second million, in pursuance of one of the conditions originally presented by the Railroad Committee of Councils, intimating that it was desirable that the connection with the Catawissa Company should be got rid of as early as practicable, I had an interview with Mr. C. Fallon, who, I understood, held a portion of the Catawissa bonds. I asked him what quantity of the bonds were in his possession, and on what terms he would be willing to arrange for an exchange of them for either City bonds, or the bonds of the Cleveland, Paynesville and Ashtabula Company, informing him at the same time that if we could discharge ourselves (the Company) from our obligations to the Catawissa Railroad Company, it was our purpose to issue bonds to be secured by a mortgage. I told Mr. Fallon that it had been intimated to me that some of the holders would be willing to take a portion of either City or Cleveland Company bonds, and a portion of the bonds which we proposed to issue. After some conversation on the subject, Mr. Fallon stated that he would be willing to take one-half City and one-half of the Company's bonds for the amount of Catawissa bonds held by him; I said that I would consider the subject, and submit it to the Board, if upon further reflection I should think it admissible. Mr. Fallon remarked, in reply, that he would do any thing that was in his power to aid the Company, consistent with what was due to those from whom he had obtained the bonds. He thought, however, that the Company could not expect more than that. After I returned to this City, which was at the time, (that is, at my next visit to the City, which was in the early part of May,) I had several conversations with Mr. William G. Moorhead, who held a considerable amount of the Catawissa bonds. I mentioned to him that Mr. Fallon had expressed himself as willing to receive one-half City and one-half Company's bonds, for the amount of Catawissa bonds which he held; but that I thought the Company ought to do something better than that; that if the Company made a mortgage upon the road after the extinguishment of the existing mortgage, and taking into view the basis that such a mortgage would have in the amount of road completed, and

in the amount of subscriptions which the Company had obtained, that their bonds, so secured, would be better than the Catawissa bonds. Mr. Moorhead replied, that the bonds proposed to be issued by the Company would not afford to him as available a security as the bonds which he then held; that he was willing to do everything in his power to accommodate the Company, and put them in a position to go forward with the work; but that he did not think that he could go further than Mr. Fallon had expressed his willingness to go. Mr. Moorhead did not say expressly that he was willing to take one-half City and one-half Company's bonds, but I did not understand him to object. Mr. Moorhead stated at the same time, that some arrangement must soon be made in respect to those bonds; that he had it in contemplation to send them abroad, to be disposed of in Europe, if there was not an arrangement of a satisfactory kind made here.

Mr. Balch.—Then, Mr. Cooper, this lease and these bonds could have been cancelled (if for the interest of the City) for one-half (\$250,000) City sixes and one-half (\$250,000) Sunbury and Erie Railroad bonds, of the proposed issue?

Answer.—So far as Mr. Fallon was concerned, he expressed distinctly, at the time I have mentioned, his willingness to do so. Mr. Moorhead did not expressly say that he would make the exchange on those terms, but I certainly understood that he would not object to do so.

Question.—You say, sir, that you spent four weeks here prior to the second of June; the second million was subscribed on the first of June; were you aware before you left, on the second of June, either directly or indirectly, of the intended exchange of City sixes for these Catawissa bonds?

Answer.—I think I came here (to this City) on the sixth or seventh of May, and I remained here until the second or third of June, with the exception of perhaps four or five days that I returned to Washington, for the purpose of attending to some indispensable business there. I was not aware, either directly or indirectly, of any contemplated change or disposition of these Catawissa bonds.

Question.—So far as your information, who was the first person, sir, to propose the exchange effected on the tenth of June? I want the best of your information and belief, sir.

Answer.—I do not know. The first I heard of any intention in relation to an exchange of these bonds, was the infor-

mation that the Councils had passed a resolution, at their meeting of the 8th of June, authorizing the Finance Committee to anticipate five instalments of the second subscription; that I learned from the newspapers, on the evening of Friday, the 9th. The next information I received on the subject, was communicated to me, two or three days afterward, by Mr. Price and Mr. Stokes, at the same time.

Question.—What did Mr. Price state to you as the reasons which induced him to effect this exchange during your absence—giving us names of parties as far as you recollect?

Answer.—When I returned here from Washington, a few days after the exchange had taken place, I complained to Mr. Price of his having undertaken an act of so much importance to the Company in my absence. He replied, that the necessity of its being done had been urged upon him by a member of the Council, who was also a member of the Railroad Committee. I think it was Mr. R. Rundle Smith. Mr. Price stated, as he informed me, that when the importance of speedy action in this matter was pressed upon him, he remarked that he did not know how it could be done, unless the Councils themselves would make provision to do it. The gentleman with whom he was conversing replied, that Councils could not act unless the subject, somehow or other, was brought to their attention. Mr. Price said he did not know how that could be done; that the President was absent, and that there was nobody here to address a communication to them. To this, he states, the gentleman replied that he had better do it himself; and that having telegraphed to me twice, and written to me once, explaining what was in contemplation, and having received no answer, he supposed I would not object; and having also learned that Mr. Drexel was about to sail for Europe, and take with him that portion of the Catawissa that was in the hands of Mr. Moorhead, and the exigency being urgent, he had addressed the Councils a communication, suggesting the propriety of doing what was afterwards done. He stated, also, that other persons had urged upon him the propriety of having this object effected before the expiration of the official term of the late Mayor.

Mr. Martien.—Do you know, from your own information, the reason for anticipating the five instalments on the second subscription, when there were only three and a half anticipated on the first subscription?

Answer.—I do not know. I was under the impression for some time, that these instalments were made generally on account of both millions subscribed by the City, and I never could see any reason for the application of these anticipated instalments to the second million. It was arranged in the Finance Committee, and was never discussed by the Board.

Question.—Was the matter of the anticipation of the instalments ever brought to the attention of the Board after the exchanges were made?

Answer.—It never was.

Mr. Magarge.—What took place at the meeting of the Board immediately previous to the exchange of the Catawissa bonds and City sixes, and at the next meeting of the Company's Board were the proceedings adopted?

Answer.—I was not present at the meeting, but I have been informed that Messrs. Boker, Deal, Ewing and Stokes, were present, and that Mr. Waln had expressed his concurrence in the action to be had in relation to the bonds, and that he had agreed to be considered as being present. At a subsequent meeting of the Board, at which Mr. Waln, Mr. Deal, Mr. Stokes, Mr. Ewing, Mr. Jackman, and perhaps Mr. Platt and myself, were present, the proceedings of the former meeting were read by Mr. Price, the Secretary; and from the minutes it appeared there had been present at the meeting, on Saturday, the 10th of June, Messrs. Boker, Deal, Ewing, Stokes and Waln. As is common, after the reading of the minutes, the question was put by the President, "Shall the minutes be adopted?" The minutes were adopted without dissent, and Mr. Price turned to Mr. Waln and said to him, "You authorize me to put you down as being present?" To this Mr. Waln assented, as I understood. I ought to state here, that Mr. Ewing did not come into the meeting on this occasion until after the minutes had been read.

Question.—Did you assent to the action of the Board, and what did you say or do in relation thereto?

Answer.—I stated, after the adoption of the minutes, that I presumed that it was understood by the members of the Board that I had been opposed to the exchange of the bonds, and to the action which had taken place in regard to it; but that, inasmuch as the matter was past remedy and the subject

a disagreeable one, I should not recur to it again; that I had only referred to it in order that my opinion might be known.

Mr. Martien.—Did the Board at that meeting concur in the exchange of the bonds?

Answer.—The subject of the exchange was not formally brought before the Board, and there was no concurrence in the act, which had been done expressed by them.

Mr. Magarge.—Was Mr. Price's position or authority such, that, during your absence, he could have called together the Board of Directors, for the purpose of conference or action in regard to this exchange of City sixes for Catawissa bonds?

Answer.—As I stated yesterday, Mr. Price, in my absence, had been in the habit of calling together the Board, to act on matters arising in my absence, but he had no authority to act in the matter referred to, other than what might be inferred from having called them together on other occasions of comparatively small moment.

Question.—Had Mr. Price any authority to call together the board to originate business?

Answer.—No, sir; he had not. There is no express authority.

Mr. Eastwick.—There were some conditions annexed to the City subscriptions. Was the first condition complied with? (reads it.)

Answer.—Yes, sir.

Question.—Second condition? (reads it.)

Answer.—Yes, sir; no alterations have been contemplated.

Question.—Third condition? (reads it.)

Answer.—That condition has been complied with. Immediately after the subscription of the second million, the company appointed their own engineer, (Robert Faries,) in fulfilment of this condition; the City appointed on its part, Mr. Samuel H. Kneass; the two engineers thus appointed, selected William Milnor Roberts, as the third, and they proceeded together to discharge their duties. They passed over the route surveyed by Mr. Faries (the route referred to in his last report,) from one end to the other, also viewing, as they informed me, some of the adjacent ground, and two of them reported that they had adopted Mr. Faries' route as far as the mouth of Bennet's branch of the Sinnamahoning, a distance of sixty-six miles west of Lock Haven, making some recommendations in relation to the respective sides of the river near Williamsport,

as being the most eligible for the route of the road. In relation to the remainder of the route, they report that they had not before them sufficient data upon which to say whether the remainder of Mr. Faries' route was the most eligible one or not. They recommend, that to determine the best and cheapest route for the road, a further exploration and survey will be necessary. They have informed me that it will be necessary to examine the ground both north and south of the route located by Mr. Faries.

Question.—Fourth condition? (reads it.)

Answer.—No portion of the money has yet been expended on that portion of the route between Erie and Ridgeway; no portion of that part of the route beyond Ridgeway having been finally located, compliance hitherto with this condition, was, of course, out of the question, in consequence of the compliance with the more important one of determining the route by the three engineers, as required by condition imposed by Councils.

Question.—Fifth condition? (reads it.)

Answer.—Yes, sir; this condition has been complied with; no agreement has been made with any incorporated company, except an agreement with the Cleveland, Paynesville and Ashtabula Railroad Company, rendered necessary in consequence of the Act of Assembly, by which the differences between that company and the City of Erie were sought to be composed. Indeed, this agreement has not yet been carried into effect, nor is it an agreement, such as is contemplated by the condition referred to.

Question.—Sixth condition? (reads it.)

Answer.—This condition has been fully complied with, no demand having been made upon the city until the corresponding subscription was made.

Question.—Seventh condition? (reads it.)

Answer.—Neither the Railroad Committee, nor any one representing them, to my knowledge, have availed themselves of their right under this condition; but the company has always been ready and willing to fulfill the requirements of this condition, and I can say, as far as I know, they are still so.

Mr. Martien.—To your knowledge, has any money been expended by the Sunbury and Erie Railroad Company, for the purpose of obtaining legislative action in reference to the Cleveland, Paynesville and Ashtabula Railroad?

Answer.—I think there was some money expended in paying agents for aiding and procuring the legislation referred to.

Question.—Can you state the amount, and to whom the money has been, or is to be paid?

Answer.—The amount for which I understand a claim is made, amounts to something over \$1200. This was for expenses, to pay agents for procuring the legislation, and for expenses incurred by them in various ways. I know of no money which has been, or is to be, expended for this purpose beyond this sum, except that the company had the services in procuring this legislation of two gentlemen, whom I feel it is proper the company should remunerate for their services in this respect. The amount due to them cannot exceed \$400 or \$500. I have heard of rumors, such as those referred to, but I have regarded them, as other similar rumors, as entirely false and unfounded. Certainly, I have not been, and am very sure that no member of the Board, or any one connected with it, has ever been privy to such transaction.

Question.—Has any member of Council been paid for any services rendered the company?

Answer.—No, sir; Mr. Samuel J. Randall and Mr. Wickersham were both at Harrisburg, aiding the company to procure the legislation in question, the former by my request, the other, as I understood, by the request of Mr. Price. I have told Mr. Price that he should pay such moderate compensation to such gentlemen as were supposed would aid us, as he might think proper, and I understood from him that he had paid their expenses, (that is, their expenses at the hotel,) and that they had declined to receive any further compensation. Mr. Randall, I know, declined any payment for the time he was at Harrisburg aiding the company, and never received a cent, nor has Mr. Wickersham.

Question.—Who are the other persons referred to as assisting the company in this matter?

Answer.—The other persons to whom I referred, were Mr. Petriken and Mr. Chas. O'Neil, who assisted us in explaining the measure and procuring its passage. Mr. Petriken went to Harrisburg at my request. Mr. Fallon was also at Harrisburg for some time, aiding in the same matter. He was requested to go, because he was better informed in relation to the subject than almost any other person. Of course, Mr. Fallon would receive nothing for his services.

Mr. Hussinger.—Why has the lease to Catawissa Railroad not been cancelled?

Answer.—The company have not considered it a matter of any importance, whether the lease was cancelled presently or not. As soon as the mortgage is lifted, which will be done as soon as we receive the twenty-five bonds which are outstanding, the Sunbury and Erie Railroad Company will have it in their power to cancel the lease. But, inasmuch as there is an arrangement between the Sunbury and Erie and Catawissa Companies, that the latter shall run over the road, and pay for the privilege a certain portion of the gross proceeds, it has been thought unnecessary to do more than satisfy the mortgage at this time. The lease will be in the control of the company at any time, and at all times, and will be cancelled whenever Councils shall deem it necessary, or the Directors think it for their interest.

Question.—Is there any obstacle in the way of cancelling the lease, either at present or at any future time, as the Company may think expedient.

Answer.—None whatever that I know of; I have understood that the Catawissa Company are quite willing to pursue such a course in regard to it as may be satisfactory to us; the lease will be under our control, when the twenty-five bonds outstanding are cancelled. In relation to the payment of the first instalment on the million of dollars subscribed by Edward Crane & Co., I think there may have been some misapprehension; I desire to be understood, that up to the 1st of June, and about the time that negotiations were commenced to associate the Pennsylvania parties mentioned previously, in the subscription, the whole of the one hundred thousand dollars was within the control of the Company, and could have been drawn for at any moment; I could have drawn it here, (from Girard Bank,) until I took up the check and collaterals deposited with it, and afterwards I could have drawn it from Willis & Co., up to the time I have mentioned, but I assumed the responsibility of leaving it where it was for the reasons I have before stated; the whole responsibility for doing so rests with me.

August 31, 1854, 10 A. M.

Present—Messrs. Balch, Eastwick, Hassinger, Martien, Magarge.

Mr. Cooper produces the fifty-one bonds of the Sunbury

and Erie Railroad, guaranteed by the Catawissa Company, that is, the twenty-five which were outstanding when the subject was referred to in the previous part of his examination, and states:—The last twenty-five bonds were redeemed yesterday, by the payment of \$18,000 of the Company's money; but that there are securities in the hands of the President and Treasurer, besides those referred to previously, which will enable them to replace the money in the course of a few days, and that we are responsible to the Company for the amount.

Mr. Eastwick.—Was the Company in want of cash funds during the months of February or March?

Answer.—No, sir; previously to the 13th of February, the District of Richmond had subscribed to the capital stock of the Company \$250,000, (or two thousand five hundred shares,) and delivered its bonds to the Company; these were available securities and easily negotiated, and besides them, the construction of the road by arrangement previously made, was to be paid for by the Company's bonds, guaranteed as has been mentioned by the Catawissa Company; of these the Company had a considerable amount—several hundred thousand dollars—and consequently the Company were not in want of funds.

Question.—Why was the check of 10th of February deposited on the 9th of March as a cash deposit?

Answer.—Because I did not wish to retain the check in my hand, and because that by having a credit on the books of the Girard Bank, the evidence of the payment was more easily accessible to Councils than if it were deposited with bankers in a distant city, whose character and credit were not so well known in this community as the Girard Bank.

Question.—Would not the Girard Bank have taken that check for collection, and credit the Company when paid?

Answer.—Yes, sir, I presume so; I did not make the inquiry, but I have not the least doubt.

Question.—At the time of depositing this check as cash, did you expect that it would be cashed in Boston on presentation?

Answer.—Yes, sir, I did, and after the receipt of the second letter by Mr. Boker from Willis & Co., I was still more fully assured.

Question.—Did any thing occur between the date of depositing the check and the time of withdrawing it from the Girard Bank, that caused a change of opinion?

Answer.—As I stated in a former part of my testimony, there had been a good deal of trouble and excitement, previously to the authority given by Councils to the Mayor to subscribe the first million, and afterwards there were rumors that means should be found to prevent the Mayor from issuing the bonds; and besides this, letters, as I was informed, had been addressed to some of the subscribers, telling them that their money was in danger, and that the road would never be built to the point at which they expected to derive an advantage from it; in consequence of these rumors and letters, the subscribers became restive, and seemed to be alarmed lest the Company should not go on with the work on the road, as they had it in contemplation; in order to quiet this alarm and retain the subscription, by showing the parties that we were not in haste to seize upon and use their money, I agreed with Mr. Crane, Mr. Dillon, and others, to leave it undrawn in the hands of Willis & Co., without drawing for it until such time as we should actually need it.

Question.—At the time of depositing this check, was there any understanding between yourself and the President of the Bank, that this money was not to be drawn on by the Company for some days?

Answer.—There was no understanding between us as I remember.

Question.—At the time of receiving that check, on the 10th of February, had you any doubts as regards the payment of it, that made you ask for security?

Answer.—None whatever; we received assurance from men of the highest responsibility and large wealth, that these men were abundantly able, in connection with those associated with them, to pay that and all subsequent instalments as they should become due; that check was given on Friday or Saturday, the 10th February; on the 13th of February, the election took place, and on that day or the evening previous, Mr. John Tucker, showed me, and afterwards others, a telegraphic dispatch which he had received from Boston, from a banker, there stating that he would not give one dollar for the check; Mr. Tucker himself expressed doubts about the accuracy of the opinion that the author of the dispatch seemed to entertain; that it could hardly be possible for a man's check, of such an amount, who was dealing in hundreds of thousands of dollars, should be worth less than a dollar; on consulting

with him, he advised us to vote upon the stock subscribed by Mr. Crane & Co. ; we did so ; but to make sure that there should be no difficulty, I left the next morning for Boston ; I there met Mr. Crane, Mr. Dillon, Mr. White and others, and told them about the dispatc, and who was its author ; Mr. Crane then proposed that to make the matter certain, and put it out of the power of any one to make trouble in this respect, by false statements, that they would put up these securities that have been referred to, in the hands of Willis & Co., who should give me a certificate of the deposit of these securities, in order that I could obtain a credit or get the money for the check in this city or New York, as I should think proper ; these securities were accordingly deposited with Willis & Co., and they gave me a letter or certificate containing a statement of them ; this is the letter or certificate referred to in Mr. Boker's statement and in my own.

Question.—Did you take the check to Boston with you ?

Answer.—I am not perfectly sure whether I did or not ; it is most probable, but I do not recollect.

Question.—Did you call on Willis & Co. to ascertain whether the check was good or not, before seeing Crane, Dillon, White and others ?

Answer.—No, sir, I did not ; when I left here to go to Boston, I met Mr. Appleton, one of the parties, in the cars, and at Hartford I met Mr. Gordon ; he or Appleton telegraphed from there to Crane, that I would be in Boston the next day ; that I was then on my way ; I reached Boston about two o'clock in the morning, and when I arose late the next day, I found Mr. Crane, Mr. White, Mr. Dillon and Mr. Appleton waiting for me in the house ; I told them what had been said of the check, and Mr. Crane then made the proposition about the securities that I have referred to in my previous answer.

Question.—Was it at this interview that you were first informed that the money was not deposited to meet this check ?

Answer.—On the 10th of February, at New York, when the subscription was made, Mr. Crane informed us that he had not the money on deposit at that time in bank, but that as soon as he returned, and before a draft could be sent on, there would be funds deposited to meet it. He agreed to provide the payment of the instalment on the whole million, some arrangement having been made among the parties that he should do it.

This interview at Boston was the first that I had had with Mr. Crane or any of the parties after the subscription had been made. He told me, as I have stated, that he had not with him an amount sufficient for the purpose, nor had he deposited at that time with his bankers money to meet the check; but, when it was agreed on afterwards that the subscription should be made, and that a check be received in payment for the first instalment, he stated that funds would be provided before a draft could reach Boston.

Question.—As this was a large amount of money, and as Mr. Crane stated that funds would be provided by the time a draft could reach Boston, what was the reason for not depositing that check on Monday?

Answer.—I have stated the subscription was made on the 10th; I returned here on Saturday, the 11th, in the evening, and on Monday the election took place. On Sunday night, or Monday morning, as I have stated, Mr. Tucker showed me the telegraphic dispatch, stating that the check was not worth a dollar. I did not believe, of course, this statement; but it was thought by the Board of Directors that I should proceed to Boston at once, and not only ascertain whether the check was good or not, but also the ability of the parties to pay the future instalments. In pursuance of this suggestion, I went, and the result is what I have stated before. I presume the check would have been presented at the bank for credit or collection, had it not been for the apprehension created by the dispatch.

Question.—Were there any steps taken by telegraphic dispatch on Monday to ascertain whether the check was good, and if yes, what was the answer?

Answer.—Yes, sir; there were two dispatches sent, one to Mr. Crane, and one to the banker, Willis. Answers were received from neither during that day. One dispatch was sent before noon of that day, and the other about noon. An answer from Crane came here the next day, but I did not get it until my return from Boston, after the election. From Willis, no answer, to my knowledge, was received.

Adjourned till Monday at 2 P. M.

SEPTEMBER 4, 1854.

Present—Messrs. Balch, Eastwick, Magarge, Hassinger, Martien.

Mr. Cooper continues.—*Question.*—Has that check ever been paid yet in full?

Answer.—No, sir; as I have stated before, there has been paid on it but a little over \$90,000. The balance would have been paid sometime since, but for the fact, which I have before referred to, that when Mr. Dillon came on some two or three weeks since with money to pay the balance due by him according to the arrangement of the 21st of July, I suggested that we would prefer having that money applied to lifting the bonds put into the hands of Mr. Crane, to be negotiated, and which he (Dillon) had undertaken to take up.

Question.—Who holds this check at present?

Answer.—I do, sir.

Check here presented.

Question.—Is this the original check that was given to you in New York, on 10th of February?

Answer.—I had always supposed that it was, and I was not aware, until two or three days since, that it was not. How the exchange took place, I am not entirely certain, but presume it must have been made when I was in Boston. From the minutes of the Board of Directors, of 13th of February, it appears that the check accepted by them was on the Bank of Commerce, and I suppose that I must have taken that check with me to Boston, when it was exchanged for the one referred to, and on which the above amount has been paid, I presume, as I considered it a matter of no importance, so that the money was paid, on what bank or banks the check was drawn. The subject of the exchange of it has not entered my mind since.

Question.—Was Dillon, Crane & Co., a firm?

Answer.—I do not know whether they were a firm previously or not, but they constituted a firm along with others for the purposes of this subscription.

Question.—Was this check (presents it) ever presented to Willis & Co. for payment?

Answer.—It never has been presented, in consequence of other arrangements to which I have referred.

Question.—Did you receive any communication between the time you left Boston and the 9th of March, to induce you to deposit the check at that time?

Answer.—No, sir; I received none. When I returned from Boston, I arrived here in the evening and left the next morning for Washington. Nothing was done with the check until I came back.

Mr. Magarge.—Have the books of the company been kept according to any system suggested by yourself?

Answer.—No, sir; the same system of entries is observed now, that was observed under Messrs. Miller, Fallon, and Tucker. There has been no change.

Mr. Balch.—Was any person, whatever, authorized to say, on the night of the 8th of June, that you were cognizant of, or approved of the application to Councils?

Answer.—No, sir; I never authorized anybody, at any time, to say in Councils or elsewhere, that I approved of an exchange of the City sixes and the Catawissa bonds in the way such exchange has been made, and, as I have stated before, it had never entered my mind that Councils would act on the subject without some communication from me, or made by my authority.

Question.—Had you expressed to any member of Councils your disapproval of an exchange of any kind of City bonds for Catawissa bonds, except on terms which you considered really for the interest of the Sunbury and Erie Railroad Company?

Answer.—A day or two before I left for Washington, on the 2d of June, Mr. Wickersham called at the office of the company, and a conversation ensued between him and myself in regard to the Catawissa bonds. I think he asked me if it was the intention of the company to take up the Catawissa bonds. I replied that I had had some conversation with Mr. Fallon and Mr. Moorhead, and that I understood from them that they would be willing to make an exchange on the terms I have mentioned in the previous part of my statement, but that I had not concluded to make an exchange on those terms, inasmuch as it would be stripping the company of too great an amount of its available funds. That is the substance of the only conversation on the subject previously to the 8th of June.

Question.—It appears by the Journal (pp. 191, 192) that Mr. Wickersham introduced the ordinance for making the exchange. Are you aware of any thing that occurred after your departure which induced Mr. Wickersham to introduce an ordinance of

which you, the President, disapproved, as pernicious to the interests of the Company?

Answer.—I am not. I certainly never expressed any approval of the course pursued in Councils; never authorized any body to speak for me in that behalf; and, as I have stated before, I was very much surprised when I learned, from the newspapers, that Councils had authorized so large a sum for this purpose. I understand that Mr. Wickersham afterwards negotiated the exchange of the bonds for the parties. This I do not know of my own knowledge, but such is the impression I have received from information derived from other sources.

Question.—Are you aware whether or not it was stated in Common Council, on the 8th of June, that you were in favor of the exchange then made?

Answer.—I have been informed, since that time, that a gentleman, on a question being put by one of the members of Council, whether I was aware that Mr. Price intended to make the communication spoken of to Councils, stated that I was, and that I desired that the bonds of the Catawissa Company should be lifted. This gentleman was Mr. J. B. Moorhead. The member of Council to whom this statement was made, was Mr. Samuel J. Randall.

Question.—You have had no further communication with Mr. J. B. Moorhead, than what you have spoken of?

Answer.—None whatever.

(Signed)

JAMES COOPER.

AUGUST 26, 1854.

Present—Mr. Balch, Mr. Eastwick, Mr. Magarge, Mr. Has-singer.

Philip M. Price, examined by Mr. Balch.—I am Secretary and acting Treasurer of the Sunbury and Erie Railroad. Have acted about a year and a half in both capacities. Last November, (1853,) when the company found itself in a very embarrassed situation to provide for means to carry on the work. [Mr. Fallon was President until some time in October or November, and Mr. Tucker was then made President pro tem.; Mr. Tucker was President at the time the Catawissa contract was made.] The funds of the Company were entirely exhausted, and money raised on responsibility of four members of the

Board—Mr. Tucker, Mr. Fallon, Mr. Waltham and myself. It was felt that the work must stop unless some means could be provided for carrying it on; also felt that the condition of that link from Milton to Williamsport, forming, with the Catawissa and Elmira Railroads, a complete communication from here to the Lake country of New York, was of the utmost importance. In this emergency the Catawissa Railroad and the Elmira Railroad offered to guarantee our bonds for \$700,000, to be secured upon that part of our road above mentioned, between Milton and Williamsport—I should say agreed, instead of offered—upon condition that we should lease to the Catawissa Company, at a rate of eight per cent. upon its cost, they keeping it in repair and having the exclusive use of it; but with a further condition, that upon discharging their guarantee, by payment of the bonds or otherwise, the lease was to be determined and the Sunbury and Erie to resume its control. My recollection is, that this determined the lease. This arrangement was accompanied by negotiation with Messrs. Moorhead, and a contract with them to take these bonds in payment of their work—80 per cent. in bonds, 20 per cent. in cash. All the bonds were prepared, and 500 or 550 issued, the greater part issued to Moorhead—all except \$100,000 issued to the Montour Iron Company, in accordance with contract with that Company. That contract was for 3000 tons of iron, at \$70 per ton; to be paid partly in our own bonds, at 85, the rest in District of Richmond bonds, at 96. This contract was in consequence of Choteau, Sanford & Co. not being able to furnish iron at the time, and partly in substitution of the Choteau contract. No iron has ever, as yet, been actually furnished or delivered by Choteau, Sanford & Co. under their contract. Their contract was a subscription, to be paid in iron. They furnished a warehouse receipt for the first instalment to have been paid by them on their subscription; but it was not the right kind of iron, and so we did not take it. Of the subscription bonds guaranteed by the Catawissa Company, 397 (\$397,000) bonds issued to Messrs. Moorhead, 3 (\$3000) to Mr. Fallon, in settlement of a balance due to him, 100 (\$100,000) to Mr. Tucker, for iron—it was delivered—and 50 (\$50,000) bonds I placed in Mr. Cooper's hands. The balance I left in the safe, and surrendered it to Mr. Lindsay. One of the 397 was not surrendered by Mr. Moorhead until after the exchange for City sixes. It is now in my posses-

sion. Shortly after they were issued, during Mr. Tucker's administration, application was renewed to Councils for a subscription to stock of Company. During the inquiries instituted on that occasion, much was said about this Catawissa contract, and a strong desire expressed by members of Councils to have the Company released from effects of lease. At the annual meeting of the stockholders, 13th Feb'y, 1854, a formal resolution was adopted instructing the Board to have the mortgage taken up and lease cancelled. This object seemed to have been the settled policy of the friends of the road, both in and out of Councils, the lease being considered embarrassing to the success of the road when it came to be further extended. Early in June, 1854, during Mr. Cooper's absence at Washington, I was told that the subject of anticipating their subscription, to take up this lease, was about being brought before Councils. Really I cannot say who told me that it was coming before Councils; several parties spoke of it; probably J. B. Moorhead was the first. Several members of Council spoke to me of it. It was the subject of conversation in our office the evening of the day before the application was made; Mr. Walborn, Mr. Smith, and other members of Council; Mr. Randall spoke of it, I think. In the course of the conversation with Mr. Smith, Chairman of the Railroad Committee, he expressed himself favorably. They said it could not come before Councils unless by direct application. I asked how an application could be made, as Mr. Cooper was absent from the City. He answered, that I could make the application as well as Mr. Cooper; in consequence of which suggestion, I wrote the application and sent it in. Councils passed the ordinance appropriating \$500,000 to that object. I had the day before telegraphed Mr. Cooper to come on, and the day after the appropriation was made I did the same. He replied to me he could not; his duties at Washington prevented his coming on. The matter, to be carried out at all, had to be done before the Saturday following expired, (the 10th June.) It was the last day of the Old City corporation. In consequence of the absence of the President, I felt myself in a very embarrassed position, and consulted with a number of persons—Mr. Tucker, Mr. Fallon, and others—as to the policy and advantages of carrying the cancel-

lation into effect. They both strongly approved of it. Still feeling undecided about it, I invited a meeting of the Board on Saturday, when they passed a resolution directing the exchange to be made. There were only four members present; two others, Mr. Waln, and I think Mr. Deal, authorized me to put their names as present. Mr. Boker, Mr. Wickersham and myself took all the bonds we had to the City Treasurer's office, and there cancelled them. We took 642 bonds. I transferred \$442,000 City sixes to the parties respectively entitled, and \$58,000 to Mr. Wickersham, to hold until the return of the other bonds. Seven of the 58 Sunbury and Erie outstanding, were returned to Mr. Wickersham, not to me. I understood that they were part of Mr. Tucker's. This closes up the transaction, except as to the 51 bonds outstanding. Mr. Cooper was not satisfied with this arrangement; he thought we might have had a better bargain with Moorhead and the parties who held our bonds. Mr. Crane's check was withdrawn by Mr. Cooper from the Girard Bank. It has not been paid. The instalment has been only partially paid by remittances in cash, and partly in stock. I believe the whole amount has been provided for. About \$35,000 has been paid in cash, the balance in stocks, which are held by the President, but have never come to my hands as Treasurer. The \$35,000 was received at various times and drafts. The first draft was about three months since, the two last was two months or six weeks ago. The check was dated in Feb'y, 1854. I think it was on a Boston bank; the name I don't remember. I had the check in my hands for a day or two; it was in my hands, I think, the day it was dated, and for some days after. I held it as Treasurer. I did not forward it, by request of the President. I put it in the Girard Bank; entered in our bank book; entered as cash. There were collaterals accompanied the check with which the bank was satisfied. I never heard that it was protested; my impression is, it was returned by the bank to Mr. Cooper. The bank charged us with the \$100,000, and returned the collaterals to Mr. Cooper. It was within a week after Mr. Cooper's election that the check was deposited in bank; don't recollect how long it laid in bank. Mr. Appleton, an engineer on the Venango road, voted on Mr. Crane's stock. The proxy was signed by Crane, Dillon & Co. The check was

not deposited at the time the stock was voted on. There was a resolution of the Board directing me to receive that check as cash. Mr. Cooper was President (by an election of the Board) at the time that the above resolution was passed. The check was given a day or so before the stockholders' election. I know nothing of the collaterals that accompanied the check; the President undertook that matter. The resolution was passed because I objected to receive the check as cash, without authority. The iron held under the warehouse check of Choteau, Sandford & Co., and by reason of which their stock was voted on, was not examined before the election. After the election they gave us a statement of the iron, and we found it was not the kind used by us. Mr. Cooper held the proxy of Choteau, Sandford & Co. It must have been a week after the election, before we received Choteau's statement. Mr. Cooper had the interviews with Choteau & Co. about their subscription. The warehouse receipts were brought here by a clerk of that house. The receipts were not brought until a week or so after the election. The negotiation with the Choteaus was through Josiah Randall, Esq. The papers were held by him until the receipts came on.

(Signed)

PHILIP M. PRICE.

SEPTEMBER 1st, 1854, 10 A. M.

Present—Messrs. Balch, Hassinger, Eastwick, Martien, Margage.

Mr. Price examined.

Mr. Balch.—Were you the Secretary and Treasurer of the Sunbury and Erie Railroad Company at the time the Catawissa lease was executed?

Answer.—Yes, sir, I was. Mr. Tucker was President pro tem.

Question.—What was the exact amount then advanced to the Company upon the paper of the four Directors, whom you mentioned in a former examination?

Answer.—\$150,000.

Question.—How were the notes drawn on which the money was obtained?

Answer.—I think that the most of them were drawn by the Company, and endorsed by the four Directors.

Question.—How many months had the notes to run?

Answer.—I think they were generally drawn at four months.

Question.—Where were they discounted?

Answer.—They were discounted at E. W. Clark & Co.'s; they were given by us to the contractors.

Question.—What was the rate of discount?

Answer.—Generally $1\frac{1}{4}$ per cent. per month.

Question.—What other actual cash funds had the Company at the time of making the lease, besides those derived from these discounts?

Answer.—They had none.

Question.—Was the question of making that lease discussed in the Board of Directors before the lease was made?

Answer.—Yes, sir. There was action taken on it by the Board, on Nov. 3d and Nov. 19th. Dec. 2d, at a special meeting of the Board, present Messrs. Duhring, Lennig, Whetham, Deal, Price and Tucker, (President,) the Catawissa lease and agreement were reported; also the modification of the contract with the Messrs. Moorhead.

Question.—Is that lease now cancelled?

Answer.—Yes, sir, this morning. (The lease produced, with the cancellation endorsed.)

Question.—Have all the bonds issued pursuant to your agreement with the Catawissa Railroad, and guaranteed by it, been cancelled?

Answer.—I accounted for 649 in my former examination, and for the remaining 51, I have the receipt of the City Treasurer, and transfer taken of 51,000 of City bonds to the Company in lieu thereof, being part of the same 58,000 which I transferred on June 10 to M. S. Wickersham, to hold until a like number of our bonds should be returned and cancelled, as appears by his receipt of that date, herewith produced.

Question.—By what authority were those (City sixes) bonds issued on June 10th, when the Sunbury and Erie bonds of the corresponding amount were outstanding and not produced?

Answer.—The Councils had, on the 8th of June, passed a resolution or ordinance authorizing the anticipation of five instalments of the second subscription of one million of dollars, to be applied to the cancellation of this mortgage and of the bonds guaranteed by the Catawissa Company. Mr. Boker, Mr. Wickersham and myself went, on Saturday, the 10th, to the City Treasurer's office, and there met Mr. Olmstead, the City Solicitor. We met there between twelve and one o'clock,

for the purpose of carrying into effect the provisions of the resolution of Councils. I stated to the other parties that I had not all the bonds in my possession, 58 of them being absent; and a conversation ensued as to the method of practically carrying out the arrangement. I think the suggestion was made by myself, that by leaving an equal amount of the City bonds in the hands of the Chairman of the Committee of Finance, the City would be protected against any possible contingency until the bonds could be produced. This suggestion was acquiesced in by all parties; a bond for the whole amount was issued, in favor of the Company, by the City Treasurer, and fifty-eight thousand of it forthwith assigned by me to Mr. Wickersham, taking the receipt above mentioned.

Question.—Was the City Treasurer apprised that 58,000 of the bonds were still outstanding?

Answer.—I can only say that this conversation was in the City Treasurer's office, but cannot say whether his attention was particularly directed to it or not.

Question.—Did you mention the fact to him, that there were 58,000 of these bonds outstanding?

Answer.—I do not recollect that I did, and I think that I did not.

Question.—Did any one, to your knowledge, apprise him?

Answer.—None to my knowledge.

Mr. Martien.—*Question.*—How was it that Mr. Wickersham was made the trustee of 58,000 City bonds.

Answer.—It was in consequence of his being Chairman of the Finance Committee. I supposed that he represented the City in the matter, and was the proper depository.

Mr. Balch.—*Question.*—What is the reason they were not left in the hands of the City Treasurer until the other bonds were produced?

Answer.—That method of accomplishing the object did not occur to me; probably the reason why it did not to any of us, was the belief that the whole matter had to be carried out that day, so far as the anticipation of the payment of these instalments was concerned, in consequence of the expiration of the Old City government.

Mr. Eastwick.—How were all the bonds held by Mr. Moorhead and others, amounting to \$500,000, paid.

Answer.—The \$500,000 City bonds issued provided for an equal amount of our bonds, including the portion left with

Mr. Wickersham to redeem those outstanding; the other \$50,000 were redeemed by other funds of the Company.

Question.—Were they redeemed in cash?

Answer.—They were redeemed by City loan of a previous date.

Question.—Who held those \$50,000?

Answer.—Mr. Moorhead.

Question.—The remaining \$50,000?

Answer.—They had never been issued, and were returned and cancelled at the same time.

Mr. Eastwick.—For what particular purpose were the \$50,000 held by Mr. Cooper?

Answer.—For the purpose of ascertaining whether he could dispose of them.

Question.—Can you tell me how long Mr. Cooper held them previous to the 10th of June?

Answer.—I think probably a month.

Mr. Balch.—*Question*—Who was the first person who spoke to you after Mr. Cooper's departure on the 2d June, about the exchange of City sixes for Catawissa bonds?

Answer.—I think J. B. Moorhead; prior to that, however, the matter of taking up the Company lease had been the subject of much conversation; some week or two before Mr. J. B. Moorhead came to me and told me that he was about sending a number of the Company bonds to Europe by Mr. Drexel; I protested earnestly against his doing so, as calculated to inflict great injury upon the company; that he knew it had been the settled policy of the Company, as evinced by the action of the stockholders in February, and as urged by the Committee of Councils, that these bonds should be cancelled, and the lease with the Catawissa Company determined; that if some of these bonds were sent to Europe, and there sold out in small parcels through Germany, as he stated was Mr. Drexel's intention, it would be almost a matter of impossibility to reach and redeem them again; that if but a single one should be outstanding, and the party holding it should refuse to have it redeemed, as he would have a right to do, the small mortgage of \$700,000, which covered a portion of the road, but involved the whole of its franchises, could not be satisfied, and consequently whenever the progress of the work required the issuing of a larger mortgage, it could not be made a first mortgage, and of course could not be sold on

any thing like as favorable terms as if there were no prior liens. I appealed to him as a large stockholder, not to inflict this great injury upon the Company, but to wait until we could see if some means could not be devised about having the mortgage cancelled. He consented with evident reluctance to do so, and I think in the same interview he suggested as to whether the City could not be induced to anticipate a sufficient amount to extinguish this mortgage; the subject of that extinguishment was one of very frequent conversation among those interested in the Company, and also the method of arriving at it; after the second subscription was made by the City, it was thought by us all that they would be more likely to provide the means for this purpose; it was after that subscription, and after Mr. Cooper had gone to Washington, that Mr. J. B. Moorhead told me that he had reason to believe there was a favorable feeling in Councils towards the object, and that if the subject was brought up at the next meeting of Councils, provision for the purpose of taking up the bonds would be made by some members of Councils.

Question.—What were their names?

Answer.—Among whom I recollect Mr. Randall, Mr. Walborn and Mr. Wickersham, whom I met with, who expressed opinions favorable to the object; on the afternoon of the day of meeting of Councils, at least two members of Councils happened in the office of the Company, one of whom was Mr. Walborn; the other was R. Rundle Smith; the subject was again spoken of, and I expressed to Mr. Smith my convictions of the importance of the object contemplated, and hoped it would receive his favorable consideration; he expressed himself favorable to the object, but said it could not be properly brought before Councils, without an application in some form from the Company; I told him that Mr. Cooper was absent, from whom the application should properly come; he suggested that in that case the application might be made by me. The application was then written by me.

Mr. Balch.—Were not the Catawissa lease and mortgage originally executed for the purpose of enabling the Company to obtain funds with which to take up the liabilities of the four Directors?

Answer.—Only in part, and partly for providing the means for constructing the Road below Milton and Williamsport, forming the link between the Catawissa Road and the Williamsport and Elmira Road.

Question.—Has that portion of the Sunbury and Erie Road from Milton to Williamsport been completed?

Answer.—It is not yet entirely completed; delays have taken place in the erection of the large bridges, in consequence of the unhealthiness of the country.

Question.—Then the road is not now in complete running order?

Answer.—No, sir, it is not.

Question.—Did not the lease contain a provision that the “demise” was to commence when that part of the road should be in complete running order?

Answer.—It did.

Question.—In this conversation with Mr. J. B. Moorhead, whom did he state to have informed him that Councils were favorable to the exchange of City sixes for Catawissa bonds?

Answer.—I don't recollect that he gave me names.

Question.—Where is Mr. Moorhead now?

Answer.—He is at Williamsport engaged in superintending the work on the road.

Question.—How many shares of stock were voted on at the meeting on 13th of February?

In answer, Mr. Price promises to give certificate showing the amount of stock, the number of shares held by each individual, whether voted upon by proxy or by principal, and who held the proxies.

Mr. Balch reads from the minutes:

“FEBRUARY 13, 1854.

“Adjourned meeting of the Board held this day. Present—Messrs. Deal, Ewing, Jackman, Platt, Stokes and Cooper, President.

“The Treasurer presented a check of Edward Crane, in favor of Sidney Dillon, on the Bank of Commerce in Boston, for one hundred thousand dollars, being for the first instalment on a subscription of nine thousand shares of stock by Dillon, Crane & Co.; of five hundred shares by Joel W. White, and five hundred shares by James Goodwin. On motion of Mr. Jackman, the Treasurer was directed to receive and credit the said check as the first instalment on the shares above mentioned.

“Adjourned.

“PHILIP M. PRICE, *Secretary.*”

Mr. Balch.—Question.—At what hour of the day did this meeting take place?

Answer.—It was at nine o'clock in the morning.

Question.—Was that before or after Mr. Tucker received his telegraphic dispatch concerning Mr. Crane's check?

Answer.—It was after I had heard of it. Mr. Tucker had told me he had received the dispatch.

Question.—Were any representations made as to Mr. Crane's check at that meeting of the Board?

Answer.—Mr. Cooper expressed his belief, from letters and other sources of information, that the check was good; I think it was while the Board was still in session I went over to Mr. E. W. Clark to inquire if he knew anything about the responsibility of Mr. Crane; Mr. Clark told me that Mr. Crane was a man of great intelligence and business capacity, and he had reason to think it was good.

Question.—Did you enter that check as cash?

Answer.—I gave Crane & Co. credit for the instalment.

Question.—Who were actually present at the meeting of June 10?

Answer.—Messrs. Boker, Ewing, Deal, Stokes were actually present; Messrs. Waln and Platt were noted present, by their consent; on the morning of that day, I addressed a note to each of the members of the Board then in the city, inviting them to meet me at the office of the Company, at an hour named, I think 12 o'clock, M., for the purpose of consultation on the subject of the exchange of bonds; I invited them in this form, having no legal right to call a regular meeting; upon assembling, the four being present, Mr. Boker said they had better resolve themselves into a meeting of the Board, and have a minute made of their proceedings, and that I should get the assent of one or more of the absentees, in order to form a quorum; the action then took place that appears upon the minutes.

Mr. Eastwick.—Has any portion of the proceeds of the \$50,000 bonds received by Mr. Cooper, been returned to the treasury of the Company?

Answer.—I do not know of any coming from that source.

Question.—In what way did you get possession of the \$50,000 bonds returned for the purpose of cancellation?

Answer.—\$18,000 of them were returned last week, through the agency of Mr. Dillon, who had assumed the responsibility

of them, and \$25,000 of them were presented this week ; the first seven were returned shortly after the time of cancelling.

Question.—Has any of the Company's funds been used to procure the \$50,000 bonds ?

Answer.—For the last \$25,000, \$18,000 of the Company's funds were used to procure.

Question.—To whom was that \$18,000 paid ?

Answer.—I think his name was Foster ; he was a stranger to me.

Question.—Did Mr. Foster state whether they were for his account ?

Answer.—He stated that they were not for his account, that he represented other parties.

Question.—Have you any knowledge who those parties were ?

Answer.—Not any whatever.

Question.—Have you any security that will indemnify the Company for this payment ?

Answer.—Mr. Moorhead says that he has, and has shown me the memorandum of them.

Question.—Do not the securities of the Company, as a general thing, come into your hands ?

Answer.—They do generally ; they have with the exception of the matter with Crane and Dillon.

Question.—Has an entry been made on the books of the Company of the payment of the \$18,000 ?

Answer.—Only in the check book. I consider it a loan to Mr. Cooper, for which I am personally responsible.

Question.—Did you pay the \$18,000 on your own responsibility, or by direction of the President ?

Answer.—By direction of the President.

(Signed)

PHILIP M. PRICE.

SEPTEMBER 2, 1854. }

Meeting at Office of the Sunbury and Erie R. R. }

Present—Mr. Balch, Mr. Martien, Mr. Hassinger.

Mr. Price examined.

Mr. Balch examines.—The Choteau subscription was credited on the 13th February, 1854, with \$50,000; on the 21st February, 1854, there is a charge of payment for rails, \$50,040; at the time the subscription was made and the agreement made for the iron, a check was given for the first instalment, the reason being that Choteau & Co. were not then prepared to deliver the iron. The check was, by mutual arrangement, deposited with Mr. Randall. By mutual, I mean Mr. Cooper, Mr. Murdock, (of Choteau & Co.,) and Mr. Randall, to be held until they could deliver the iron. On 21st February, the warehouse certificates for the iron were delivered, and the check given up. Shortly after the certificates were presented, Mr. Faries prepared his pattern of iron for the railroad, when it was found that the iron in the warehouse was not of the pattern or weight which he required. This and other matters, as I understood from Mr. Cooper, led to a correspondence between him and Choteau & Co., and he withdrew the papers for the purpose of cancelling or making some arrangement with Choteau & Co. He has not yet reported to the board. I have understood that he has made an arrangement, but I do not know what it is. The stock still stands on the books of the company, just as it did. Nothing has ever been paid on it.

Mr. Martien examines.—March 22, 1854, I was authorized by the board to proceed to Harrisburg on behalf of the company, to aid in procuring such legislation as may be judged important by the President and Secretary, for the interests of the road. I was there; two bills passed, both of which I urged, one in reference to small matters, the other was the arrangement with the Cleveland, Paynesville and Ashtabula Road, for which legislation was procured, authorizing that company to take possession of the Franklin Canal Railroad, and requiring them, as a condition, to subscribe to the stock of the Sunbury and Erie, \$500,000. That subscription has not been actually made. The representatives of that company were here week before last, during the absence of Mr. Cooper and myself from the City; they went to Pottsville to see Mr.

Cooper, who saw them, I believe; shortly after the act was passed by the Assembly, and adopted by our company, I was sent on to Erie and Cleveland to meet the parties, with the expectation of having the subscription there and then completed. This was in last May; on the 19th of May I was in Cleveland, and had an interview with the directors of that company; I urged upon the directors immediate and prompt action, by making the subscription according to the act. They, in my presence, consulted their solicitor, who gave it as his opinion, that the directors had no authority to accept the Act of Assembly; it must be done by the stockholders, and that a meeting could not be called before the 14th June. The board, however, passed resolutions, which I now have in my hand.

RESOLUTIONS ANNEXED.

June 17, 1854.

June 29, 1854, meeting of Board of Sunbury and Erie Railroad.

July 29, 1854, Directors—copies annexed.

At the meeting of July 29, the agreement, as settled by both companies, was actually executed by the Sunbury and Erie, but, as there was not time to have a copy made, the representatives of the Cleveland road took that with them, under promise to have a duplicate made and executed, and forwarded to us. That they have never done, nor have they ever returned the one which they took with them.

July 15, meeting, copy annexed, formal notice, bond and mortgage.

The balance is \$420,063 95, August 31, 1854, made up as follows, pretty nearly, from rough estimate :

| | | | | |
|-----------------------|---|---|---|--------------|
| Cash on hand, | - | - | - | \$ 45,454 41 |
| Erie City bonds, | - | - | - | 125,000 00 |
| District of Richmond, | - | - | - | 150,000 00 |
| Philadelphia sixes, | - | - | - | 81,000 00 |

\$401,454 41

Short, \$18,500 00

STATEMENT OF VOTES.

The undersigned judges, appointed by the Managers of the Sunbury and Erie Railroad Company, to conduct the election of officers of said company, held this 13th day of February, 1854, report that twenty-one thousand three hundred and four votes have been cast, and that the following named persons received the number of votes set opposite their respective names, to wit :

James Cooper received for President, 21,304 votes.

FOR MANAGERS.

| | | | |
|-------------------|--------|-------------------|--------|
| Hervey White, | 21,304 | Franklin Platt, | 21,304 |
| Charles S. Boker, | 21,304 | John W. Stokes, | 21,304 |
| Robert Ewing, | 21,304 | Joseph B. Myers, | 21,304 |
| Charles Lennig, | 21,304 | James Armstrong, | 21,304 |
| David Deal, | 21,304 | David K. Jackman, | 21,304 |
| James Thompson, | 21,304 | Gideon J. Ball, | 21,304 |

The Judges, therefore, do hereby declare, that the Hon. Jas. Cooper has been duly and unanimously elected President, and Hervey White, Charles S. Boker, Robert Ewing, Charles Lennig, Daniel Deal, Franklin Platt, John W. Stokes, Joseph B. Myers, James Armstrong, David K. Jackman, James Thompson, and Gideon J. Ball, have been duly and unanimously elected Managers of the said company for the ensuing year.

CH. GIBBONS, }
H. DUHRING, } *Judges, &c.*

Office of the Sunbury and Erie R. R. Co., }
Philadelphia, Feb. 13, 1854. }

SEPTEMBER 6, 1854, 10½ o'clock, A. M.

Present—Mr. Balch, Mr. Eastwick, Mr. Hassinger.

Mr. Joel B. Moorhead examined.

Mr. Balch.—You are one of the contractors of the Sunbury and Erie Railroad.

Answer.—Yes, sir.

Question.—Were you the member of your firm which made the arrangement for the exchange of City sixes and Catawissa bonds?

Answer.—I consented to the arrangement, although telegraphed from my brother in Ohio, not to do so. I previously informed him of what was proposed; his answer was, not to make the exchange. My brother tends to the finances of our

firm generally. I understood that an arrangement of this kind could be made. I conversed with several members of Councils—Mr. Wickersham, Mr. Walborn, Mr. Randall and Mr. Smith. I suggested the matter to them. Mr. Smith stated that a communication would be necessary from the President of the Company making application. Mr. Cooper was absent; was written to by the Secretary, Mr. Price, and also telegraphed, not more than one or two days before the last meeting of old Councils. No reply was had from Mr. Cooper. Mr. Smith then suggested that a communication from the Secretary might answer. I am not positive it was Mr. Smith. The Secretary made the communication to Councils. I might state here, that while the Secretary was drawing up the communication, I, understanding that the paper was to be accompanied by a resolution, wrote out one covering, as I thought, the whole ground, which I handed to Mr. Wickersham; it was the same as that passed at Councils. I called to see Mr. Wickersham; he was the first member I called on, being better acquainted with him than any other. He stated, I had better call and see Mr. Smith. I think he was chairman of the Railroad Committee. Mr. Smith gave me very little satisfaction, but afterwards called at the office. Mr. Wickersham I think was present also. Mr. Walborn I think was there. I do not know that they came by invitation; I think I requested Mr. Smith to see Mr. Price. At this time it was decided that a communication from the Secretary would answer, the President being absent. That was all that I recollect of having taken place. On the first mentioning of this proposition, I found it was looked upon with favor by every member with whom I spoke on the subject. From the fact of the lease with the Catawissa Company giving them control of the eastern end of the Sunbury and Erie road, it was always looked upon unfavorably by Councils.

Question.—When did you first mention the proposition to Mr. Price.

Answer.—Not more than one or two days before the last meeting of Councils.

Question.—Before or after you saw Mr. Smith?

Answer.—Before I saw Mr. Smith.

Question.—Had you had any communication with Mr. Cooper on the subject?

Answer.—No, sir. Mr. Cooper, on one occasion, men-

tioned to my brother, in my presence, that he thought an arrangement could be made to cancel this mortgage, by paying one half in City bonds, the other half in Sunbury and Erie Railroad bonds. Mr. Fallon held over \$100,000 of the guaranteed bonds; he thought he would agree to that. I suggested to my brother that would not do us; I would never consent to it unless we got bond for bond. This was not in the hearing of Mr. Cooper. My brother replied, we must not raise the question now. There was nothing more said or done then, although our minds were made up.

Question.—How long was that conversation before Mr. Cooper left for Washington?

Answer.—It was three or four weeks before the exchange was made.

Question.—What occurred at the first interview between Mr. Price and yourself?

Answer.—I mentioned to Mr. Price, I thought something should be done towards getting the mortgage cancelled, by getting funds from the City, as I believed, from the feeling of members of Councils, and the great alarm of the community of the Catawissa Railroad carrying trade to New York, the Councils would advance the necessary funds on their instalments, if application were made. Mr. Price assented, and said it would be necessary to ascertain from members of Councils how to proceed.

Question.—How many of these City bonds did you receive?

Answer.—We held, I think, \$497,000, which were exchanged even, bond for bond, for the Sunbury and Erie bonds guaranteed by the Catawissa Company.

Question.—Have you since sold any of the City sixes?

Answer.—Yes, sir; we have.

Question.—How many?

Answer.—It is my impression, including those sold to Mr. Fallon, 175 or \$200,000; it may be \$50,000 more or less.

Mr. Eastwick.—What do you mean by saying, “I consented to the arrangement”?

Answer.—I might more properly say that I was instrumental in effecting the exchange.

Question.—Did your brother consent to the proposed exchange of bond for bond?

Answer.—No, sir; I don’t know that my brother ever consented to such exchange.

Question.—Did the exchange of bonds originate with you?

Answer.—I think it did, sir.

Question.—What was your object in having this exchange made?

Answer.—To get a bond that was more available in the market at this time; believing that the others were equally good, but not so available at this time.

Question.—Did you originate the resolution handed to Councils?

Answer.—Yes; it was my own language, and written without dictation from any one.

Question.—Did the members of Councils direct you how to proceed in this matter?

Answer.—They directed an application from the President would be necessary; afterwards they suggested, in the absence of the President, a communication from the Secretary might answer. This information was of my seeking.

Question.—Did you or your firm pay, or agree to pay, any commission, either directly or indirectly, for the exchange of these bonds?

Answer.—There was no money, bond, or other valuable, paid or agreed to be paid to any one, or for any one, who assisted in bringing about the arrangement; the voice of Councils was unanimous.

Mr. Balch.—Were you present in the Common Council chamber on the evening of the 8th of June?

Answer.—I was present.

Question.—Did you state to any member that Mr. Cooper was in favor of the exchange?

Answer.—Mr. Randall came from his seat and asked me if this met Mr. Cooper's approbation. I told him that the stockholders, at their annual meeting, passed a resolution directing the Company to use the first available means to cancel the mortgage and lease with the Catawissa Company; that there had, that day, been a meeting of the Directors, and they were all in favor, and that we had no word from Mr. Cooper; but I believed he was in favor of it. Mr. Randall returned to his seat, and made some objections that the President had not shown his consent. Mr. Wickersham then read the resolution of the stockholders directing a cancelling of the mortgage, which seemed to be satisfactory to Councils, and nothing more was said against it.

Question.—Were you present at that meeting of Directors?

Answer.—Yes, sir, part of the time, by invitation. I was in the adjoining room, and they invited me in.

Question.—At what time of day did that meeting take place?

Answer.—Between 9 and 3 o'clock, I think, on Thursday.

Question.—Who were present at that meeting?

Answer.—Messrs. Ewing, Deal, Boker, Stokes, Price.

Question.—Did they take any action on this proposed exchange?

Answer.—It was merely a consultation. Something was said about the terms on which this exchange was to be made. The principal conversation was on the interest which had accrued on the Railroad bonds.

Question.—They approved, however, as you understood, of the proposed application to Councils?

Answer.—Yes, sir; I believe they concluded it was the best thing to be done.

Question.—Who sells the bonds for you now?

Answer.—E. W. Clark & Co.

(Signed)

J. B. MOORHEAD.

SEPTEMBER 9, 1854, 12 o'clock M.

Present—Messrs. Balch, Eastwick, Hassinger, Magarge.

Mr. J. B. Moorhead's Statement.—The Chairman states that Mr. J. B. Moorhead, on September 7, 1854, called to say that he wished to explain his deposition so far as relates to the meeting of the Board on June 8, 1854, and that he (the chairman) would bring the matter before the Committee this morning.

The Committee receive Mr. J. B. Moorhead's explanation, but without examining him.

Mr. Moorhead states, that on reflection, I am satisfied that I was mistaken in saying that the Board of Directors of the Sunbury and Erie Railroad Company had a meeting previous to the meeting of Councils in regard to the exchange of the mortgage bonds of the Sunbury and Erie Railroad Company, guaranteed by the Catawissa and Elmira Railroad Companies, at which meeting they agreed that it was the best that could be done. That meeting, I am now fully satisfied, was after the meeting of Councils, on the 8th June, but previous to the exchange being made.

(Signed)

J. B. MOORHEAD.

SEPTEMBER 6, 1854.

Present—Messrs. Balch, Magarge, Eastwick and Hassenger.

Mr. Cooper's examination continued.

Mr. Balch.—Did you ever have any conversation with any member of Councils concerning the issuing of bonds to correspond with the amount issued by the District of Richmond, and what did he say?

Answer.—Before I left for Washington; before the time that the second million was subscribed, I had a conversation with a member of the Railroad Committee, whom I informed that Richmond had issued and paid the whole of the amount which it had subscribed, to wit, \$25,000, and that it was our purpose to ask the City to advance a like sum on the second million. He replied that he did not know how that would be; that he was apprehensive the City would not be disposed to do more than pay the one instalment on the subscription. He stated that he thought it would be the policy of the City to go step by step with the individual subscribers.

Question.—Has the second instalment upon the subscription known as the Crane subscription been paid?

Answer.—No, sir; the second instalment on none of the subscriptions made to the road has been paid; nor has any demand been made for the second instalment, other than the formal one of an advertisement in the newspapers that it was required.

(Signed)

JAMES COOPER.

SEPTEMBER 6, 1854.

Present—Messrs. Balch, Eastwick, Hassinger.

Mr. Stokes examined.

Mr. Balch.—Are you a director of the Sunbury and Erie Railroad?

Answer.—Yes, sir.

Question.—How long have you been a director?

Answer.—Since last fall; I don't recollect the month, and was re-elected in February last.

Question.—Were you in the city last June?

Answer.—Yes, sir.

Question.—From the 1st to the 10th of the month?

Answer.—I believe I was.

Question.—When were you first apprised of the exchange of City sixes for Sunbury and Erie bonds, and how?

Answer.—My first knowledge of the application was from newspaper, which was the day after the Councils met.

Question.—Where did you read that paper?

Answer.—I think at my store.

Question.—When were you first officially apprised?

Answer.—I think it was on the last Saturday of the old City administration I received a note from Mr. Price, requesting me to see him at the office of the Company, to consult in reference to the business of the Company.

Question.—Were you present at or invited to attend any meeting on the Thursday previous, as referred to by Mr. Moorhead?

Answer.—I have no recollection of such a meeting.

Question.—When you met on Saturday what occurred?

Answer.—The object was stated to be an exchange of the means at the command of the Company, upon the best terms for the bonds guaranteed by the Catawissa Company.

Question.—Did you have any correspondence with Mr. Cooper in reference to this subject?

Answer.—Not previous to that meeting.

Question.—Did you have any subsequent to that meeting?

Answer.—Yes, sir.

Question.—Please state the substance.

Answer.—I informed Mr. Cooper of the action of the Board, and asked if it met his approbation.

Question.—What was Mr. Cooper's reply?

Answer.—Mr. Cooper was very much displeased at the terms on which the exchange was made.

Question.—Had Mr. Cooper any information before your letter?

Answer.—I am not advised as to whether he had or not.

(Signed)

J. W. STOKES.

In the testimony given during the investigation into the affairs of the Sunbury and Erie Railroad Company, now taking place before a committee of the Common Council of the City of Philadelphia, the name of the undersigned having appeared in reference to the passage of a bill by the last legislature of this

State, and the connection of the undersigned therewith, and also as to his presence at the seat of Government. It is, therefore, the desire of the undersigned to make a statement of the facts in regard to the said matters. Sometime during the month of April, 1854, I was asked by Mr. James Cooper, the President of the Sunbury and Erie Railroad Company, if I could go to Harrisburg to aid the company in the passage of a bill then before the Legislature of our State; I consented to go, and for that purpose left Philadelphia on the 24th of April for Harrisburg; I remained at the latter place, assisting the company until the 4th day of May, a period of ten days; I paid my own expenses up, down, and while there, except my bill, which was paid without my knowledge; when I called for my bill, the proprietor of the hotel replied that "your bill is settled;" I believe it was paid by Mr. Price, although he never told me so; the amount of my bill was \$17.50, at \$1.75 per day; I went to Harrisburg as an act of friendship to Mr. Cooper, expecting nothing for my services, nor would I have gone, had such a suggestion as pay for my services been mentioned. During my stay, I never heard anything about pay to members or any one else, nor have I knowledge of a single cent being expended by the company to obtain legislation. I was never spoken to by any human being upon any subject in connection with legislation for the company, wherein such a thing as money was alluded to.

(Signed)

SAMUEL J. RANDALL.

September 11, 1854.

Westchester County, ss.—On the 11th day of September, 1854, personally came before me, Samuel J. Randall, known to me to be the person described in and who executed the foregoing instrument, and acknowledges that he executed the same, and also acknowledges the facts therein stated to be true.

(Signed)

JOAKIN YOUNG,
Justice of the Peace.

SEPTEMBER 13, 1854, 12 o'clock, M.

Present—Messrs. Balch, Eastwick, Hassinger, Magarge, Martien; also, Mr. Cooper and Mr. Wickersham.

So much of Mr. Cooper's statement as relates to his (Mr. Cooper's) conversation with Mr. Wickersham, is read.

Mr. Cooper states—That since making that statement, he has had a conversation with Mr. Wickersham, who recalled to mind certain circumstances, from which he (Mr. Cooper) is now satisfied that the conversation in question took place sometime between the 7th and 10th of May last.

Mr. Balch reads Mr. J. B. Moorhead's statement to Mr. Wickersham, and hands the statement to him.

Mr. Wickersham states, without examination by Committee—The first knowledge I had of its being proposed to remove the mortgage of the Sunbury and Erie Railroad, guaranteed by the Catawissa Railroad, was from Mr. J. B. Moorhead calling upon me and making a statement to that effect. He inquired in what mode application should be made to Councils in order to enable this end to be accomplished, by the anticipation of the instalments upon the second million. On inquiring why there was any immediate necessity, he stated to me that, under the contract with the company, they were bound to hold the guaranteed bonds of the company until they should give certain notice to the company of their intention to part with them, that their financial necessities were such that they had been compelled to give the notice required, and unless there was some arrangement made, it was their intention to place a quantity of the bonds in the hands of Mr. Francis Drexel, for the purpose of having the same negotiated in Europe. Viewing the negotiation of these bonds abroad, as being adverse to the interests of the company and of the City of Philadelphia, by thus perpetuating the contracts with the Catawissa Road, which had always been held by Councils as a measure which might possibly be made subservient to the interests of the City of New York, and thereby prejudicial to the commercial interests of the community, I had no hesitation in stating to Mr. Moorhead the course I thought the best for him to pursue, which was, that he should apply to Mr. R. Rundle Smith, the Chairman of the Committee on Railroads. I had no further communication with Mr. Moorhead, or any other person, in relation to

the subject, until the morning of the meeting of Councils, on the 8th of June, when Mr. J. B. Moorhead called upon me at my office, stating to me that a communication would be sent by the company to Councils, asking them to anticipate certain instalments on the second million, in order to enable the company to cancel the Catawissa contract. He asked me if I would prepare a resolution to submit to Councils, authorizing the same to be done. I replied that I was exceedingly busy, and feared that I would not be able to do so, but that if he would prepare one and bring it to me, if I approved of it, I would submit it. After sometime he returned, and submitted one to me, to which I objected. He afterwards brought me a second, which, with some verbal alterations, was the one submitted to Councils.

M. S. WICKERSHAM.

EXHIBIT No. 1.

COMMON COUNCIL CHAMBER, }
Philadelphia, August 10th, 1854. }

At a meeting of Common Council, held this day at their chamber, the following resolution was adopted:—

Resolved, That a committee of five be appointed to inquire into and report forthwith as to whether the second instalment, due 1st August, on the subscription of Mr. Crane and others to the Sunbury and Erie Railroad has been paid, and also to report the present condition of the City subscription to said Railroad.

From the Minutes.

Attest,

JOHN M. RILEY,
Clerk to Common Council.

EXHIBIT No. 2.

AUGUST 11th, 1854.

The committee of five to inquire whether the second instalment, due August 1st, on the subscription of Mr. Crane to the Sunbury and Erie Railroad met this day.

Present—Balch, Magarge, Martien, Hassenger and Eastwick.

Mr. Lindsay, City Treasurer, examined; also Minutes of Finance Committee. Extracts made from Minutes, (Exhibit No. 3.) Mr. Lindsay also promised committee the copies of papers hereto annexed, marked Exhibits No. 4, 5, 6, 7.

EXHIBIT No. 3.

SPECIAL MEETING, June 1st, 1854.

Present—Wickersham, Poulson, Irwin, Duffee and Stuart.

On motion, it was *Resolved*, That the City Treasurer be authorized to issue certificates of City loan, as authorized by ordinance passed January 7, 1854, to authorize a subscription to the Sunbury and Erie Railroad Company, to the said Com-

pany, to the amount of \$100,000, to pay the instalment due on subscribing to ten thousand shares of the capital stock of said Company, as authorized by said ordinance and a resolution of Councils passed June 1, 1854, and certificates for the further sum of \$250,000 to pay the second, third and one-half of the fourth instalments, to grow due on the subscription made by this corporation, on the 28th April, 1854, for ten thousand shares in the capital of said Company.

SPECIAL MEETING, June 9th, 1854.

Present—Messrs. Wickersham, Duffee, Stuart, Irwin and Smith.

On motion of Mr. Smith, it was

Resolved, That the Chairman and City Treasurer be authorized to issue the City bonds to the Sunbury and Erie Railroad Company, in conformity to the Resolution passed by Councils, to the amount of \$500,000, for the purpose of cancellation of the bonds of the Sunbury and Erie Railroad Company guaranteed by the Catawissa Railroad Company, for the sum of \$700,000.

MEETING, June 10th, 1854.

Present—Wickersham, Smith, Irwin, Poulson, Duffee, Hinman and Stuart.

The Chairman reported that the mortgage of the Sunbury and Erie Railroad Company, guaranteed by the Catawissa Railroad Company, had been paid by the former Company, and a receipt therefor endorsed thereon, and a power of attorney executed by the trustee, Charles S. Boker, to John Lindsay, City Treasurer, to satisfy the same of record, and that the bonds had been cancelled and deposited with the City Treasurer, excepting the amount of \$51,000, for which City Loan had been lodged with the Chairman.

EXHIBIT No. 4.

TREASURY DEPARTMENT, CITY OF PHILADELPHIA, }
August 12th, 1854. }

Thomas Balch, Esq.—Sir:—Upon examination of the cancelled bonds of the Sunbury and Erie Railroad Company, guaranteed by the Catawissa, Williamsport and Erie and the Williamsport and Elmira Railroad Company in this office, we

find that we have in possession six hundred and forty-nine bonds, for \$1,000 each, viz., Nos. 1 to 359 inclusive, and from 361 to 400 inclusive; also, from Nos. 451 to 700 inclusive.

Very respectfully, your obedient servant,
JOHN LINDSAY, City Treasurer.

N. B.—Seven bonds, numbering from 582 to 588 were missing, and returned to me this day, by M. S. Wickersham.
J. L.

EXHIBIT No. 5.

Amount of Loan issued to the Sunbury and Erie Railroad Co.
1854.

| | | | | |
|-----------|--|---|---|-----------|
| April 28. | For the first instalment on subscription of ten thousand shares, | - | - | \$100,000 |
| June 2. | For the second, third, and one-half of the fourth instalment on the first subscription of ten thousand shares, | - | - | 250,000 |
| June 2. | For the first instalment on the second subscription of ten thousand shares, | - | - | 100,000 |
| June 10. | For the second, third, fourth, fifth and sixth instalments on the second subscription of ten thousand shares, | - | - | 500,000 |
| | | | | <hr/> |
| | | | | \$950,000 |

(Signed) JOHN LINDSAY, City Treasurer.

CITY TREASURER'S OFFICE, }
Aug. 11th, 1854. }

EXHIBIT No. 6.

Received, June 10th, 1854, of the Sunbury and Erie Railroad Company, Five Hundred Thousand Dollars on loan to the Corporation, at six per cent. per annum, under the provision of an ordinance of Councils, entitled "A Supplement to an Ordinance passed February 3d, 1853, entitled an ordinance to authorize a subscription on the part of the City to the capital stock of the Sunbury and Erie Railroad Company, passed January 7, 1854, redeemable January 1, 1892." The said receipt not being for cash received, but in lieu thereof,

the said Company have received a certificate of City loan, redeemable as above, amounting to five hundred thousand dollars, being for the second, third, fourth, fifth and sixth instalments on the second subscription of ten thousand shares in the stock of the Sunbury and Erie Railroad Company, by the Mayor, Aldermen and Citizens of Philadelphia. The certificate for which to bear interest from July 1, 1854.

(Signed) JOHN LINDSAY, *City Treasurer.*

Attest—PHILIP M. PRICE,
Treasurer S. and E. Railroad Co.

EXHIBIT No. 7.

Sunbury and Erie Railroad Company:

First instalment on ten thousand shares of stock, April 28, 1854.

| | | |
|--------|--|-----------|
| No. 1. | Issued in name of Sunbury and Erie R. R. Co. | \$50,000 |
| No. 2. | “ “ “ “ “ | 50,000 |
| | | <hr/> |
| | | \$100,000 |

Second, third, and one-half of fourth instalment on the first subscription, and for first instalment on second subscription, June 2, 1854.

| | | |
|---------|--|-----------|
| No. 15. | Issued in name of Sunbury and Erie R. R. Co. | \$50,000 |
| No. 16. | “ “ “ “ “ | 50,000 |
| No. 17. | “ “ “ “ “ | 50,000 |
| No. 18. | “ “ “ “ “ | 50,000 |
| No. 19. | “ “ “ “ “ | 50,000 |
| No. 20. | “ “ “ “ “ | 50,000 |
| No. 21. | “ “ “ “ “ | 50,000 |
| | | <hr/> |
| | | \$350,000 |

Second, third, fourth, fifth and sixth instalments on the second subscription, June 10, 1854.

| | | | |
|---------|---|-------|-----------|
| No. 43. | Issued in name of Sunbury and Erie Rail- road Company, | - - - | \$500,000 |
|---------|---|-------|-----------|

The last certificate was afterwards divided as follows, viz :

| | | | |
|---|---|---|-----------|
| To Drexel & Co., in four certificates, | - | - | \$38,000 |
| To E. W. Clark & Co., in nineteen certificates, | - | - | 181,000 |
| To Girard Bank, in two certificates, | - | - | 40,000 |
| To J. B. & W. G. Moorhead, in three certificates, | | | 46,000 |
| To C. & J. Fallon, in two certificates, | - | - | 100,000 |
| To John Tucker, one certificate, | - | - | 13,000 |
| To M. S. Wickersham, in three certificates, | - | - | 82,000 |
| | | | <hr/> |
| | | | \$500,000 |

JOHN LINDSAY, *City Treasurer.*

Philadelphia, Aug. 17, 1854.

EXHIBIT No. 8.

At a meeting of the Board of Managers of the Sunbury and Erie Railroad Company, held November 3d, 1853, the following resolution was adopted :

Resolved, That the President *pro tem.* and Secretary be authorized to make such contract or contracts, or arrangements with the Catawissa, Williamsport and Erie Railroad Company, or with any other party or parties, as they may think best, for the purpose of insuring the completion of that portion of the Road between Milton and Williamsport, and of the work at the harbor of Erie, and for that purpose, if necessary, to sell and transfer to such party or parties all the right, title and interest of this Company in any part of the road or work, complete or otherwise, and to affix the corporate seal of this Company to any contract or contracts they may make in the premises; also, to make such arrangements as they may think best to procure from the City Councils or others subscriptions to the stock of this Company. Also to make such other arrangements or contracts as they may judge expedient, for the purpose of securing the construction and completion of the road, or any part thereof; provided that no alienation shall be made of the property at the harbor of Erie, without first returning to the City of Erie all the bonds received from her, and providing for the payment of whatever may be due to the contractors for the work at said harbor.

EXHIBIT No. 9.

At a stated meeting of the Board of Managers of the Sunbury and Erie Railroad Company, held November 19th, 1853, the following preamble and resolution were adopted:—

Whereas, the prices of labor and provisions of all kinds have greatly advanced since the contract made with J. B. & W. G. Moorhead for grading, &c., was entered into with the Sunbury and Erie Railroad Company, on June 24th, 1852;

And whereas, had it not been for the financial condition of the Company, the Messrs. Moorhead might have completed their contract before this advance in prices had taken place, and it is but fair that a corresponding increase of prices should be allowed them on their work, &c.; *and whereas*, it is understood that the Messrs. Moorhead are willing to take the bonds of the Company guaranteed by the Catawissa, Williamsport and Erie, and the Williamsport and Elmira Railroad Companies, in lieu of the payments to be made them under their contract, upon such increase of prices being allowed them as may be agreed upon; now, therefore,

Resolved, That the Road Committee be, and they hereby are authorized to make arrangement with J. B. & W. G. Moorhead for such modification or change in the contract and stock subscription made with them, both as to price and mode of payment, as they shall think fair and to the interest of the Company, and may be agreed to by Messrs. Moorhead, and the President and Secretary are hereby authorized to execute such agreement modifying said contract, under the corporate seal of this Company.

EXHIBIT No. 10.

This Indenture, made this 25th day of November, A. D. 1853, between the Sunbury and Erie Railroad Company of the first part, and Charles S. Boker, Esq., President of the Girard Bank of the City of Philadelphia, of the second part:

Whereas, the party of the first part was duly incorporated, in pursuance of an act of the General Assembly of the Commonwealth of Pennsylvania, approved the 3d day of April, A. D. 1837, entitled "An Act to Incorporate the Sunbury and Erie, and Pittsburg and Susquehanna Railroad Compa-

nies;" and by the said act the said party of the first part was authorized "to survey, lay down, ascertain, mark and fix such route or routes as they shall deem expedient, for a railroad, with as many sets of tracks as they may deem necessary, from Sunbury, by the way of Northumberland and Williamsport, by the most eligible route, to the harbor of Erie." *And whereas*, by an act of the said General Assembly, approved the 18th day of April, A. D. 1853, entitled "An Act relating to the Sunbury and Erie Railroad Company," the said company was "authorized to borrow money, and to issue their bonds therefor (in sums of not less than \$1,000 each) at such rates of interest and on such terms as may be determined by the Board of Managers, and to secure the payment of said bonds, by executing and delivering to such Trustee or Trustees as they may select, a mortgage or mortgages of all or any part of their estate, real, personal, rights, liberties and franchises; and further, if they think proper, to make the said bonds convertible into stock, at par, which stock they are hereby authorized to issue when required."

And whereas, at a meeting of the Board of Managers of the said Railroad Company, held the 19th day of November, 1853, it was, "*Resolved*, That for the purpose of constructing and equipping the Sunbury and Erie Railroad, the bonds of the company be issued, and sold, to the amount of \$700,000, in bonds of \$1,000 each, payable at the office of the company in Philadelphia; said bonds to draw interest at the rate of seven per cent. per annum, in the half-yearly coupons annexed, the principal to be payable in twenty years from the 1st day of January, 1854; and that said bonds be made convertible into the stock of the company, at par, at the pleasure of the several holders thereof, at any time within ten years from the date of the same: also, *Resolved*, That the payment of said bonds, and the interest thereon, be secured by a first mortgage of all that part of the road of this company, commencing at the junction with the Catawissa, Williamsport and Erie Railroad, at or near Milton, and extending thence northwardly and westwardly to the junction with the Williamsport and Elmira Railroad, at or near Williamsport, together with its privileges and appurtenances, in favor of Charles S. Boker, Esq., of the City of Philadelphia, to be held by him, as Trustee, for the benefit and protection of the holders of the said bonds.

And whereas, the Board of Managers of the said Sunbury

and Erie Railroad Company, the party hereto of the first part, have caused to be executed by the President and Treasurer thereof, 700 bonds, of \$1,000 each, numbered respectively from 1 to 700, of the tenor and form following, viz:—

U. S. OF AMERICA.

No.

\$1,000.

THE SUNBURY AND ERIE RAILROAD COMPANY.

Convertible Loan of \$700,000, guaranteed by the Catawissa, Williamsport and Erie, and Williamsport and Elmira Railroad Companies.

The Sunbury and Erie Railroad Company acknowledge themselves indebted to C. S. Boker, or bearer, in the sum of \$1,000, which sum they promise to pay to said C. S. Boker, or bearer, at the office of said company, in the City of Philadelphia, on the first day of January, A. D. 1874, with interest thereon, at the rate of seven per cent. per annum, payable semi-annually, at said office in Philadelphia, on the first days of January and July in each and every year, upon surrender of the corresponding coupons hereto annexed.

The holder of this bond shall be entitled, at any time within ten years from the date hereof, to convert the principal sum into the stock of said company, at par, on surrendering this bond, with the unpaid interest coupons, to said company, at their office aforesaid.

This bond forms part of a loan of \$700,000, secured by a first mortgage to said C. S. Boker, in trust, of all that part of the railroad of the said company, commencing at the junction with the Catawissa, Williamsport and Erie Railroad, at or near Milton, and extending thence northwardly and westwardly to the junction with the Williamsport and Elmira Railroad, at or near Williamsport, which mortgage bears date the 25th day of November, A. D. 1853, and has been executed in pursuance of authority granted by an Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An Act relating to the Sunbury and Erie Railroad Company," approved the 18th day of April, A. D. 1853.

In witness whereof, the said Sunbury and Erie Railroad Company have caused this bond to be signed, in their behalf, by their President, and countersigned by their Treasurer, and their corporate seal affixed, at their office in Philadelphia, this 25th day of November, A. D. 1853.

— —, *President.*

— —, *Treasurer.*

To which bonds are attached the usual interest warrants or coupons.

Now this Indenture witnesseth, That the said Sunbury and Erie Railroad Company, the party hereto of the first part, as well for and in consideration of the aforesaid debts, or sums of money mentioned and expressed in the said bonds and coupons, or such of them as shall and may from time to time be issued and disposed of by the said President and Managers, and for better securing the payment of the same, with the interest thereon, as of the sum of one dollar to them in hand well and truly paid by the said party of the second part, at or before the sealing and delivery hereof, the receipt whereof the said party of the first part doth hereby acknowledge, have granted, bargained, sold, aliened, released and confirmed, and by these presents, in pursuance of the said last recited act of Assembly, and of the said resolutions of the Board of Managers, do grant, bargain, sell, alien, release and confirm to the said party of the second part, and to his heirs and assigns, all and singular, that part of the railroad of the said party of the first part, constructed, and to be constructed, with all its privileges, appendages and appurtenances, commencing at the junction with the Catawissa, Williamsport and Erie Railroad, at or near Milton, and extending thence northwardly and westwardly to the junction with the Williamsport and Elmira Railroad, at or near Williamsport: to have and to hold, all and singular, the premises aforesaid, with the appurtenances and appendages, to the said party of the second part, his heirs and assigns forever, in trust, nevertheless to and for the use, benefit and security, as hereinafter mentioned, of the several persons, their respective successors, executors, administrators and assigns, who shall or may become holders of or entitled to the said bonds or coupons, or to any that shall or may be issued and accepted in lieu, or renewal of or substitution for the same respectively; subject, nevertheless, unless default shall occur as hereinafter mentioned, to the possession, control, collection, disposal and management of the said party of the first part, their successors and assigns, and their President, Managers and officers, according to the effect and meaning of the several acts and supplementary acts of the Legislature of Pennsylvania, incorporating, or concerning the said party of the first part. *Provided, nevertheless,*

that if the said party of the first part shall and do well and truly pay, discharge and take up at maturity all the aforesaid bonds, and shall, and do in the meantime well and truly pay the interest coupons thereon, as they shall mature, according to the true intent and meaning of the said bonds, without any fraud, default or delay, and without any deduction, defalcation or abatement whatever; or shall deliver certificates of stock on conversion thereof into stock, in manner aforesaid, then and from thenceforth, as well the said bonds as the present mortgage, and the estate hereby granted, shall cease, determine and become void.

And provided further, that in case the said party of the first part shall fail to pay the principal, or any part thereof, or any of the interest coupons on any of the said bonds, at any time when the same may become due and payable, according to the tenor thereof, when demanded, or within sixty days thereafter, then, upon the request of the said holder of any such bond or coupon, unpaid as aforesaid, the party of the second part, his successors in the trust, or assigns, may enter upon and take possession of all or any part of said premises; and as the attorney in fact, or agent of the said party of the first part, by himself or agents, or substitutes duly constituted, have, use and employ the same, making from time to time all needful repairs, alterations and additions thereto, and after deducting the expenses of such use, repairs, alterations and additions, apply the proceeds thereof to the payment of all such interest coupons and bonds remaining due and unpaid; or the said C. S. Boker, his successors in the trust, or assigns, at his or their discretion, may, or on the written request of the holder of at least one-half the interest coupons and bonds then unpaid and unconverted into stock, shall cause the whole of said premises, or, at his discretion, so much thereof as shall be necessary to pay and discharge such interest coupons and bonds, as may then be unpaid and unconverted as aforesaid, to be sold at public auction, in the City of Philadelphia, giving at least forty days' public notice of the time and place, and terms of such sale, and of the specific property to be sold, by publishing the same in two newspapers, of good circulation, in each of the cities of Philadelphia, New York, and Boston, and shall execute to the purchaser or purchasers thereof, a good and sufficient deed or deeds of con-

veyance or transfer, of all the rights, title and interest and estate of said party of the first part, in and to the same, which shall be a bar against the party of the first part, their successors and assigns, and all persons claiming under them, of all right, interest or claim in or to said premises, or any part thereof; and the proceeds of such sale, after deducting the costs and expenses thereof, and of managing such property, shall be applied to the payment of such interest coupons and bonds as may then be unpaid and unconverted as aforesaid; and any balance or residue thereof, not required for that purpose, shall be paid to the said party of the first part.

And the said party of the first part hereby covenant, for the consideration aforesaid, to execute and deliver any further reasonable and necessary conveyance of the premises, or any part thereof, to the said C. S. Boker, his successors in the trust, and assigns, for more fully carrying into effect the objects hereof, particularly for the grant and conveyance of any rights or property that may be acquired by the said party of the first part, subsequently to the date hereof, and comprehended in the description contained in the premises. And the party of the first part hereby further covenant as aforesaid, that the money borrowed for the purposes aforesaid, upon the security of the said bonds, shall be faithfully applied to the construction and equipment of that part of the Sunbury and Erie Railroad above particularly described, and to the payment of debts thereof. And it is mutually agreed that the said party of the second part, his successors in the trust, and assigns, shall only be accountable for reasonable diligence in the management thereof; and shall not be responsible for the acts of any agent employed by him or them; and the said party of the second part, his successors in the trust, and assigns, shall be entitled to receive proper compensation for any labor or service performed by him or them in the discharge of the trust, in case he or they shall be compelled to take possession of or sell the premises, or any part thereof, or manage the same.

And provided, also, that it shall and may be lawful for the said party of the first part, by and with the assent in writing of the said party of the second part, or his successors in the trust, at any time or times hereafter, to sell, lease, or otherwise dispose of, any part of their real estate, comprised in the

above description, free and clear of all lien or incumbrance from these presents.

In witness whereof, the said Sunbury and Erie Railroad Company have caused their corporate seal to be hereunto affixed, and the same to be attested by the President and Secretary, the day and year first above written.

JOHN TUCKER, *President*. [SEAL.]

Attest—PHILIP M. PRICE, *Secretary*.

Sealed and delivered in the presence of us,

JAS. R. GARRIGUES,

WM. G. MOORHEAD.

City of Philadelphia, ss.

On the 2d of December, A. D. 1853, before me, the undersigned, one of the Aldermen in and for the City of Philadelphia, personally came Philip M. Price, Secretary and Treasurer of the Sunbury and Erie Railroad Company, who, being duly affirmed according to law, did depose and say, that he was present and saw John Tucker, President of said company, sign the foregoing indenture of mortgage; and that he himself affixed the seal of the Sunbury and Erie Railroad Company thereto, and attested the same, as the Treasurer of the company; and that the seal so thereto affixed, is the common or corporate seal of the said company.

In witness whereof, &c.

S. H. SIMMONS, *Alderman*. [SEAL.]

I accept the above trust. Witness my hand and seal, this second day of December, A. D. 1853.

C. S. BOKER. [SEAL.]

Lycoming County, ss.

Recorded in the office for Recording of Deeds, Mortgages, &c., in and for said county, in Mortgage [SEAL.] Book C., pages 285, 286, 287, 288 and 289, the 5th day of December, A. D. 1853.

Witness my hand, &c.

J. S. RUNYAN, *Recorder*.

Tax and fees, \$375, paid by Mr. Price.

J. S. R.

Northumberland County, ss.

Recorded December 9th, A. D. 1853, in the office for Recording Deeds, &c., in and for said county, in [SEAL.] Mortgage Book No. C, pages 43, 44, 45, 46 and 47. In testimony, &c.

JNO. P. PURSEL, *Recorder.*

Received June 10th, 1854, of the Treasurer of the Sunbury and Erie Railroad Company, payment in full of the within mentioned bonds for seven hundred thousand dollars, secured by the within mortgage.

C. S. BOKER, *Trustee.*

EXHIBIT No. 11.

This Agreement, made this 25th day of November, A. D. 1853, between the Sunbury and Erie Railroad Company of the first part, the Catawissa, Williamsport and Erie Railroad Company of the second part, and the Williamsport and Elmira Railroad Company of the third part.

WHEREAS, the parties of the first part, are engaged in the construction of that portion of their road lying between Milton, in the county of Northumberland, and Williamsport, in the county of Lycoming, and the parties of the second and third parts are willing to aid them, in the manner hereafter provided, to prosecute and complete the same.

Now, therefore, it is agreed as follows, viz: The parties of the second and third parts, agree to guarantee and become liable as sureties for the payment of the bonds of the parties of the first part to the amount of seven hundred thousand dollars, with interest at the rate of seven per cent. per annum, to be secured by a first mortgage of that part of the road of said parties of the first part, commencing at the junction with the Catawissa, Williamsport and Erie Railroad at or near Milton, and extending thence northwardly and westwardly to the junction with the Williamsport and Elmira Railroad, at or near Williamsport aforesaid, said bonds to be made payable at the end of twenty years, and convertible within the first ten years, into the stock of said company of the first part, at par, at the pleasure of the holders, and the said parties of the first

part agree to procure satisfaction to be entered on a certain mortgage by them executed under date of June 10th, 1853, in favor of Charles S. Boker, to secure the payment of bonds issued to the extent of six millions of dollars.

And the said parties of the first and second parts, for and in consideration of the premises, and of the stipulation hereinafter contained, further agree, as follows:

The parties of the first part, do hereby demise and let, all that part of their road lying between Milton and Williamsport, as aforesaid, and which they covenant to put in complete running order, to the parties of the second part, for the period of twenty years from the date hereof, and until the bonds, guaranteed as aforesaid to the amount of seven hundred thousand dollars, shall be fully paid and cancelled. In consideration whereof, said parties of the second part covenant and agree to pay to said parties of the first part, by way of rent therefor, in equal half yearly payments, the full sum of eight per cent. per annum, upon the full cost of building, constructing and making said road between Milton and Williamsport, as aforesaid, which cost shall include the entire cost of right of way, surveys, depots, and all other expenses attending the construction of that portion of the road, said rent and demise to commence from the time when possession of the demised premises shall be delivered in complete running order by said parties of the first part to said parties of the second part, the bonds aforesaid amounting to seven hundred thousand dollars, having been previously guaranteed as aforesaid, at which time also, the amount of said rent so payable to be ascertained and determined. The parties of the second part further covenant and agree, during the term of this lease, to keep the line of road, bridges, buildings, depots, embankments, and all other parts of the road hereby demised or intended to be so, and the fences on either side thereof, (so far as the parties of the first part are required to keep up the same,) in good order and repair, and at the end of said demise, or other sooner determination of this lease, to redeliver the same in like good order and repair to said parties of the first part, it being the intention of the parties, that said parties of the first part shall be at no expense whatever, by reason of any matter about said road hereby demised, during the continuance of this demise.

It is further mutually agreed between the parties hereto,

that the rents herein provided to be paid by the said parties of the second part to the said parties of the first part, or so much thereof as is necessary, shall be applied in payment of the interest on the bonds guaranteed by the parties of the second and third parts hereto, and any payment on account of said interest to the holder or holders of said bonds by the said parties of the second part, shall be deemed a payment of so much on account of said rents.

It is further mutually agreed between the parties hereto, that the proceeds of said bonds, so guaranteed, shall be faithfully applied to the completion of said portion of road between Milton and Williamsport, and towards paying indebtedness incurred upon the same, and that enough shall be applied to perfecting right of way, and completing the said portion of road ready for use, it being the expectation of the parties hereto, that the proceeds of said bonds will cover all cost of this portion of the road completely.

And said parties of the second part further agree, that until the full end and term of this demise, or other sooner determination thereof, they will allow the locomotives and cars of the parties of the first part, at all convenient and suitable times, and with the same facilities as are enjoyed by the parties of the second part in respect to their own locomotives and cars, to pass and repass upon the said road hereby demised; so, however, that the locomotives and cars of the said parties of the first part, and the engineers and other agents that may be employed by them, in and about the same, shall, while passing or repassing any part of the road hereby demised, or while remaining thereon, be subject to the reasonable control of said parties of the second part, and of such superintendent or other agent as they may from time to time appoint for the purpose, and to such reasonable rules and regulations as may from time to time be adopted by said parties of the second part, or their superintendent or other agent as aforesaid, together with the right to obtain water from the water tanks along the line of, or at the terminus of the road demised, as also fuel from sheds which they may erect at convenient places along the line of the road; and in consideration of the use of the road as aforesaid, said parties of the first part agree to account for, and pay over to said parties of the second part, one-half of all the gross receipts and profits accruing to them

from the use of the road hereby demised, during and until the determination of this lease, whether from the carriage of passengers or transporting of freight or mail matter thereon, or from any other cause whatsoever, and the parties of the first part undertake and agree that they shall always keep a regular set of books, which shall at all reasonable times be open to the inspection of the duly authorized agent of the parties of the second part, and in which shall be kept and duly entered, and shall plainly appear all receipts, dues, and profits accruing to said parties of the first part from the use as aforesaid of the road, or part of road hereby demised, or any part thereof, whether by the carriage or transportation by them, or by any other person or persons by their consent and authority, of passengers, freight, or mail matter thereon, or from any other cause whatsoever, of all which said parties of the first part agree to furnish to said parties of the second part, quarterly statements, under oath or affirmation of the proper officer of the company in each and every year during the term of this demise, and to account for and pay over to them one-half of the amount thereof.

And it is further provided and expressly understood, that so soon as said parties of the first part shall have paid said bonds of seven hundred thousand dollars, guaranteed as aforesaid, or released the parties of the second and third parts from all liability as guarantors or sureties of same, or shall have deposited in the hands of some trustee, to be appointed by the Court of Common Pleas of Philadelphia, a sum sufficient to pay so much of said bonds as may then be outstanding and unpaid, and to be applied to the redemption of same, then this agreement and the demise and agreements hereby made and provided, are forthwith to cease and determine, except so far as may be necessary to enable either party to recover from the other any sum that may be due thereunder by one to the other. And provided further, that upon the expiration of the term of this demise, or other sooner determination thereof, the parties of the first and second parts, shall be reverted to their several rights and covenants under a certain agreement between them made, dated the 17th day of May, A. D. 1853; but that in the meanwhile said agreement, and all the rights thereby given or acquired, shall be considered, and are hereby suspended.

In witness whereof, the said companies have hereunto affixed their corporate seals, and caused the same to be attested by their duly authorized agents, the day and year first above written.

JOHN TUCKER,
President pro tem. S. & E. R. R. Co.

PHILIP M. PRICE,
Secretary S. & E. R. R. Co.

WM. D. LEWIS,
President C., W. & E. R. R. Co.

A. S. DIVEN,
President W. & E. R. R. Co.

EXHIBIT No. 12.

This memorandum, the day of the date of the above agreement, by and between the parties thereto, witnesseth, that it is understood and agreed between the parties, that the said agreement shall apply to all work heretofore done, and materials furnished, by the said parties of the first part under heretofore existing contracts, as well as to the work and materials hereafter to be done and furnished, the contracts heretofore existing having been modified by the above agreement, in pursuance of the preamble and resolutions passed by the Board of Managers of the Sunbury and Erie Railroad Company, on the 19th day of November last; and for the said work and materials done and furnished, or to be done and furnished, on that part of the line of road between the junction with the Catawissa, Williamsport and Erie Railroad, at or near Milton, and the junction with the Williamsport and Elmira Railroad, at or near Williamsport, twenty per cent. of the estimates shall be paid and received in the stock of the Sunbury and Erie Railroad Company, at par, on account of the subscription of said parties of the first part to said stock, and eighty per cent. in the seven per cent. mortgage bonds of the said Sunbury and Erie Railroad Company, at par, as issued under the mortgage of the twenty-fifth of November last, and guaranteed by the Catawissa, Williamsport and Erie and the Williamsport and Elmira Railroad Companies; and for the remainder of the work and materials

embraced in the said contract, the payments shall be made and received, thirty per cent. thereof in the stock of the Sunbury and Erie Railroad Company, as aforesaid, and seventy per cent. in cash: Provided, that on the said cash payments there shall be a deduction of twelve per cent.; and provided, also, that if the said party of the second part shall elect to pay cash, in lieu of any of the bonds aforesaid, a deduction of twelve per cent. shall also be made from the amount of any such payment.

It is also understood and agreed, by and between the said parties, that for the eighty per cent. of the work heretofore done and materials furnished, according to the prices embraced in the above contract, the bonds aforesaid shall be issued and paid to the said parties of the first part without delay; and they shall, at the same time, return to the said party of the second part, the amounts heretofore paid them, together with the expenses incurred by said second party in raising the means of making said payments; said amounts to be returned in the obligations of the Company now outstanding, to the amount of \$100,000, and the balance thereof in cash; and in case any of the said obligations cannot be immediately returned, a proportionate amount of the said bonds shall be withheld by the said Company until such return of obligations can be effected, and the said J. B. & W. G. Moorhead agree to take up all such obligations as they shall become due.

It is also further understood and agreed, that the reserved ten per cent. provided in the above agreement shall be in the stock of the Company, as above agreed to be paid and received.

And further, it is expressly agreed that for all delay beyond the first day of July, 1854, in having the portion of the road between the junction with the Catawissa, Williamsport and Erie road, at or near Milton, and the junction with the Williamsport and Elmira road, at or near Williamsport, put in safe running order, from any default of the said parties of the first part, the said parties of the first part shall forfeit to the said second party, the sum of two hundred dollars per day, to be deducted from any balance that may then be due under the said contract; and on completion of the portion of road between Milton and Williamsport, as aforesaid, a final estimate thereof shall be made, and the reserved per centage

thereon shall be paid over, as provided, to the said parties of the first part.

In witness whereof, the President of the Sunbury and Erie Railroad Company hath hereunto set his hand, and caused the corporate seal of said Company to be attached: and the said parties of the first part have also set their hands and seals, this second day of December, A. D. 1853.

J. B. MOORHEAD. [Seal.]

W. G. MOORHEAD. [Seal.]

Sealed and delivered in the presence of us:

JOHN S. BROWN, (signed.)

JAS. R. GARRIGUES, (signed.)

(Signed) JOHN TUCKER, Pres't pro tem.

Attest—PHILIP M. PRICE, Sect'y.

EXHIBIT No. 13.

59 SOUTH FIFTH ST., August 15, 1854.

Sir—I am directed by a Committee of Common Council, appointed for the purpose of inquiring as to the instalments accrued on the subscription of Mr. Crane and others to the Sunbury and Erie Railroad, to inform you that they are desirous of ascertaining:

1. Was or was not the first instalment on the subscription of Mr. Crane and others paid? If so, when, how, and by whom?

2. Was or was not the second instalment paid? If so, when, how, and by whom?

The Committee meet to-morrow, at my office, at two o'clock, and should be obliged to you for an answer by that time.

Very respectfully,

Your obedient servant,

THOS. BALCH.

To MR. COOPER, Pres't,
or
MR. PRICE, Sec'y,

} Sunbury and Erie Railroad.

EXHIBIT No. 14.

OFFICE OF THE SUNBURY AND ERIE R. R. Co., }
 Philadelphia, August 15, 1854. }

To Thos. Balch, Esq.:

DEAR SIR:—Your communication, dated to-day, received; Mr. Cooper and Mr. Price are both absent from the city; on their return, your questions, no doubt, will be answered promptly.

Very respectfully,

JAS. R. GARRIGUES.

EXHIBIT No. 15.

AUGUST 23, 1854.

DEAR SIR:—I have just returned from Lock Haven and Williamsport, coming by Pottsville to see Mr. Cooper, and bring him along, if possible. I found him much better, but not yet able to leave his room. He is desirous of facilitating in every way your investigations, and will come as soon as he is able.

I am yours, truly,

PHILIP M. PRICE.

To THOS. BALCH, Esq.

EXHIBIT No. 16.

PHILADELPHIA, August 25, 1854.

Thos. Balch, Esq., Chairman Committee of Investigation, &c., &c.

DEAR SIR:—On arriving in town this morning, I have learned that the Committee, of which you are the Chairman, has commenced its investigations.

The co-operation of the officers of the company, which they are disposed to accord to the fullest extent compatible with their duties, will facilitate your inquiries, and enable you to discharge your obligations to Councils in a fuller and more satisfactory manner.

In order that you may obtain a full and fair view of the situation of the company, I have directed the Secretary to post the books, so as to exhibit to the present moment the condition of their affairs.

This will require a few days, but will not, I am sure, retard the completion of your labors. By Monday week, or earlier, all outstanding accounts may be brought in, and the books made to present clearly the condition of the company's affairs.

The public interest and the security of the City, can in no wise suffer from the adoption of the course which I have indicated, nor in that event will the company have any cause to complain of undue haste in the proceedings towards it.

We wish that the investigation, having commenced, may be made so full and complete, as to be satisfactory at once to the City, the Committee, and the public.

Another reason for the delay suggested, is the condition of my health. I came here from my bed, and am altogether unfit for business.

I hope the Committee will see that the suggestion is both reasonable and just, and that they will act upon it.

Very respectfully, and truly yours,
JAMES COOPER.

EXHIBIT No. 17.

WASHINGTON HOUSE, }
August 25, 1854. }

DEAR SIR :—I have just now, by using the hand of a friend, addressed you a note on the subject of the investigation in which you are engaged. I would be glad to see you personally.

As the investigation has begun, I would be very glad that you would prosecute it to a close, so that hereafter we shall be able to get along without such drawbacks as we have experienced. The delay asked for, I hope you will consider reasonable. I am entirely unfit for business, and am here at great risk of my health.

Yours, truly,
JAMES COOPER.

THOS BALCH, Esq., Chairman Investigating Committee.

EXHIBIT No. 18.

AUGUST 31, 1854.

DEAR SIR :—I have just closed the matter with the City Treasurer. He wished to compare and arrange them, but will satisfy you on the subject by calling before 3 o'clock today.

I am yours, truly,
P. M. PRICE.

To THOS. BALCH, Esq.


CORRESPONDENCE.

PHILADELPHIA, Sept. 4, 1854.

THOS. BALCH, ESQ., *Chairman of Investigating Committee of Councils on Sunbury and Erie Railroad:*

Dear Sir—I have learned that in the course of the examination now taking place in reference to the affairs of the Sunbury and Erie Railroad Company, that my name has been introduced. I desire to be examined on the subject referred to, and I am willing to give any information to the Committee which I may possess. I will thank the Committee to name an early day for my examination.

Respectfully,

SAMUEL J. RANDALL. 

Mr. Randall presented the above letter in person to the Committee, and, after having read the testimony, said he would present in writing any statement which, on reflection, he might consider necessary.


 SEPTEMBER 11, 1854.

THOMAS BALCH, Esq., *Chairman of the Committee of the Common Council, appointed to investigate into the affairs of the Sunbury and Erie Railroad Company:*

Dear Sir—I send you herewith a statement of my connection with the Sunbury and Erie Railroad Company, in reference to a trip I made to Harrisburg, to aid the Company in the passage of the bill known as a bill relating to the Cleveland, Paynesville and Ashtabula Railroad Company and the Sunbury and Erie Railroad Company, passed during the session of the last Legislature. I renew my desire, (heretofore communicated verbally,) that the statement which is made under oath may be annexed to the testimony collected in reference to the above matter. I should have sent this paper before, but I was desirous to have the dates of my arrival and departure from Harrisburg, and the amount of my bill while there accurate, and for that purpose I was compelled to send to the latter place.

Yours, respectfully,

(Signed)

SAMUEL J. RANDALL. (See Mr. Randall's statement in the testimony, *Ante* p. 71.)

WILLIAMSPORT, August 25, 1854.

MR. HINMAN:—*Sir*,—I observe that there is a disposition manifested by certain men, both in the city and country, to frown down any attempts to make a fair investigation of the affairs of the Sunbury and Erie Railroad Company, fearing, as I suppose, that some light would be thrown upon certain schemes of speculators here and at Lock Haven.

Now, I have been watching the operations of this road pretty attentively since its commencement, and am well acquainted with the country directors, and many of the engineers, as well as the contractors, and sincerely believe that the interests of the company have been grossly trifled with, and great sacrifices made in favor of speculators.

It is said openly, that Mr. Faries is only nominally Chief Engineer, Mr. Moorhead, the original contractor, being so in fact. That to bring the division engineer, Mr. Jarrett, to favor the schemes of speculators, they have recently presented him with two house lots in Lock Haven, on which he is now erecting a house.

I would recommend a thorough investigation of the affairs of this road, and the conduct of its managers and officers.

With the view to obtain the fullest information as to details, I would suggest that you have before your committee one or more of the engineers recently discharged from the employ of the company, to wit: Mr. Shaw, probably at Milton; Mr. Winkler, most of the time in this place, and Mr. H. C. Gibson, a permanent resident of Jersey Shore. As each of these are old assistants on this road, they could give you much information that you could not obtain through other channels.

Hoping that your investigations may result to the ultimate benefit of this company,

I am, yours respectfully,

C. F. FORD.

PHILADELPHIA, Aug. 24, 1854.

CHARLES BOKER, ESQ.:

Dear Sir—I desire to explain to you the wishes of our Erie friends in regard to the Sunbury and Erie road; and as we are constantly misunderstood when we say any thing on the subject, I take this method to communicate to you

our views. We make no objections to the appropriation of any subscriptions that the Board chooses to apply to the road west from Williamsport, or any part of it, let that be Mr. Crane's subscription or that of the other parties. All we want is, that our end, from Warren to Erie, shall be determined upon and let at the same time, and that means that may fairly belong to this end, or their equivalent, be expended thereon. We wish it to progress in construction as the other end progresses, the rapidity being always with the Company, in view of its means. Much has been said of a contemplated divergence south from Lock Haven, and to go by the Venango route to Erie. This our people are opposed to. It will increase the length of route, and greatly delay the progress of the work. It is no part of the Sunbury and Erie project, but is a rival of it; and if once carried by this southern line to Franklin, or near there, by the Venango route, it is believed, will extend to meet an Ohio road at the State line west of Franklin, without going to Erie at all. This, I believe, would be the result; and what was intended to be the Sunbury and Erie road, would become a part of a line of road between Cincinnati and St. Louis to New York as well as Philadelphia. We wish the uncertainty on this subject ended, by a location of the western end of the Sunbury and Erie road, from Warren to Erie, and such expenditures of money on it as will render its ultimate construction certain. That a survey north of Ridgway should be made, I certainly concur in. The portion of the route between the Sinnamahoning and the Allegheny might be improved by a thorough survey and investigation. West from the Allegheny, at Warren, to Erie, the route passes through a well settled country and well known to all, and has been thoroughly surveyed and well located by Mr. Faries. His general line, subject to modifications that experience would dictate, we wish established, without the expense and delay of the survey south, which departs from Mr. Faries' as well as Mr. Miller's route, near fifty miles, at Warren.

The recent source of uneasiness to us consists in this—the proposition to let from Lock Haven to the contemplated junction with the Venango road, to be followed by a survey of the Venango road, as indicated in Mr. Kneass' report, to a point near Franklin. We think that it is evidence of a disposition in some minds to go to that point, which, we think,

would throw Erie to the one side. This is why we are anxious, and, if you please, tenacious. We have not been about the expenditure of money, for the sake of having it expended at our end. This is simply an ill-natured interpretation of our acts. Looking to the preservation of our route, we have struggled hard for the whole and entire road, and have no other wish or view; and are perfectly content to abide our time, if we are receiving that sort of consideration that our interests and investments may fairly be entitled to.

Yours truly, JAMES THOMPSON.

—
PHILADELPHIA, Sept. 13, 1854.

THOMAS BALCH, Esq.:—*Dear Sir*—I have called at your office two or three times without having had the pleasure of finding you in. In thinking over the copy of my statement as made, I apprehend there is a clerical error which may alter its sense—it was at the second examination at Mr. Eastwick's office, and just at its close. When speaking of the \$18,000 advanced for the balance of our bonds, I have a rather indistinct recollection that I am made to say, that I considered it as a loan to *Mr. Cooper*, for which the President and myself held ourselves personally responsible. What I intended to say, and think I did say, was, that I considered it a loan to *Mr. Dillon*, for which, &c. It may be that it is copied correctly, and that my recollection has been confused upon the subject. If Mr. Cooper's name is used, be so good as to alter it to Mr. Dillon's.

In this connection I may state, that the \$18,000 has since been repaid to the Company.

I am yours truly,

PHILIP M. PRICE.

—
Statement of Votes referred to in Mr. Price's Examination.

| | | | | |
|----------------------------|---|---|-------|---------------------|
| Allen Wm. S., | - | - | - | 5 |
| Boldin & Price, | - | - | - | 10 |
| ✓ Choteau, Sandford & Co., | - | - | 5,000 | Jas. Cooper, Proxy. |
| Crane, Dillon & Co., | - | - | 9,000 | E. Appleton, Proxy. |
| Deal Daniel, | - | - | - | 10 |
| Elwell Evan, | - | - | - | 10 |
| Ewing Robert, | - | - | - | 10 |
| Fallon C. & J., | - | - | - | 50 |
| Fleming R. S., | - | - | - | 1 |

| | | | | | |
|-------------------------|---|---|---|-------|---------------------|
| Gilles Jas. L., | - | - | - | 1 | |
| Gibbons Chas., | - | - | - | 1 | |
| Goodwyn Jas., | - | - | - | 500 | E. Appleton, Proxy. |
| Hufty James, | - | - | - | 10 | |
| Jones Andrew M., | - | - | - | 75 | |
| Jackman D. K., | - | - | - | 10 | |
| Kelley Philip F., | - | - | - | 100 | |
| Kimball F. S., | - | - | - | 100 | |
| Moorhead J. B., | - | - | - | 5 | |
| Moorhead J. B. & W. G., | - | - | - | 2,900 | |
| Miller Daniel S., | - | - | - | 25 | |
| Price Philip M., | - | - | - | 101 | |
| Platt Franklin, | - | - | - | 20 | |
| Richmond District of, | - | - | - | 2,500 | Proxy. |
| Serrill Isaac S., | - | - | - | 100 | |
| Steel James, | - | - | - | 40 | |
| Tucker John, | - | - | - | 100 | |
| Wetham Jas. D., | - | - | - | 100 | |
| Wernwag Lewis, | - | - | - | 5 | |
| White Joel S., | - | - | - | 500 | E. Appleton, Proxy. |

Copy of Application to Councils referred to, and produced by, Mr. Price.

OFFICE OF THE SUNBURY AND ERIE R. R. Co., }
Philadelphia, June 8, 1854. }

To the Select and Common Councils of the City of Philadelphia:

Gentlemen—At the annual meeting of the Stockholders of this Company, held on the 13th of February last, a resolution was adopted instructing the Board of Managers, as early as practicable, to apply the means that might be at their disposal to the redemption of the outstanding bonds of the Company guaranteed by the Catawissa Railroad Company, so as to determine the lease to that Company of that portion of the Railroad between Milton and Williamsport. This object the Board has had anxiously in view, as being of great importance to the independence and interest of the Company, but see no early prospect of accomplishing it from the proceeds of instalments called in at the usual intervals, and at the same time prosecute the work with the activity that is so highly desirable. These bonds are still held by parties who are willing to surrender them, but who will soon be obliged to sell them unless they are redeemed. If the City would anticipate

say five instalments on the second subscription of \$1,000,000, applicable to this special purpose, it would enable the Company to cancel this whole loan of \$700,000, and we believe would be greatly to the interest, not only of the Company, but of the City also, in securing the more independent and prosperous prosecution of the enterprise.

Very respectfully,
 PHILIP M. PRICE,
 Secretary and Treasurer S. and E. R. R. Co.

(See Mr. Price's examination.)

[COPY.]

I hold fifty-eight thousand dollars City sixes, 1892, which are to be transferred to Sunbury and Erie Railroad Company, upon the cancellation of the like amount of the mortgage bond guaranteed by the Williamsport, Catawissa and Erie Railroad Company.

(Signed)

M. S. WICKERSHAM.

June 10, 1854.

Copy from Minutes produced by Mr. Price.

At a meeting of the Directors of the Cleveland, Paynesville and Ashtabula Railroad Company, held at the office, May 19th, 1854, it was

Resolved, That a meeting of the stockholders of this Company be called for the 10th day of June, A. D., 1854, for the purpose of passing upon the question of the acceptance by this Company of the provisions of the act of the Legislature of Pennsylvania, passed at its recent session, and approved by the Governor of said State, on the 5th day of May, inst., entitled "An Act Relating to the Sunbury and Erie Railroad Company."

Resolved further, That we unanimously recommend to said stockholders a prompt acceptance of, and compliance on the part of this Company, with the provisions of said act, and authorizing arrangements to be made respecting the same, with the Sunbury and Erie Railroad Company, regarding their connexions and mutual interests.

I certify the foregoing to be a true copy of the resolutions passed by the Directors of the Cleveland, Paynesville and Ashtabula Railroad Company.

(Signed)

GEORGE B. ELY, Secretary.

At an adjourned meeting of the Board of Managers of the Sunbury and Erie Railroad Company, held June 19, 1854, the President laid before the Board a proposed agreement with the Cleveland, Paynesville and Ashtabula Railroad Company, which was read, and after a full discussion upon the subject, it was, on motion,

Resolved, That the Board approve of and ratify the said agreement, except so much thereof as relates to the establishment and maintainance of a depot or depots on the line of the present railroads in the City of Erie, which subject it is desired to leave open for the present.

At a special meeting of the Board of Managers of Sunbury and Erie Railroad Company, held June 29th, 1854, the President stated that the Messrs. Case and Kelly, of the Cleveland, Paynesville and Ashtabula Railroad Company, were now in the city, fully authorized, on behalf of that company, to enter into arrangements with this company for carrying into effect the recent act of Assembly in relation to the two companies. That the said Cleveland, Paynesville and Ashtabula Company were not satisfied with the agreement as modified by this Board, without a more definite arrangement as to the depots at Erie. The President then read a proposed addition to the agreement on this point, which had been framed by himself and Messrs. Case and Kelly. When, on motion, it was

Resolved, That the President be authorized to make such an addition, or modification, of the agreement with the Cleveland, Paynesville and Ashtabula Railroad Company, as in his judgment may be advisable, and as shall be satisfactory to the said company.

At a stated meeting of the Board of Managers of the Sunbury and Erie Railroad Company, held July 15th, 1854, the President laid before the Board a form of notice received from the Cleveland, Paynesville and Ashtabula Railroad Company, notifying this company of their acceptance of the recent act of Assembly in relation to the two companies. The form of notice was approved.

The President also laid before the Board a form of bonds

and mortgage received from the same company, for their proposed subscription of \$500,000 to the stock of this Company, which, after inserting the name of Robert Ewing as the Trustee, were also approved by the Board, with such verbal alterations as the President may think proper.

I certify the above to be true extracts from the minutes of the Board of Managers of the Sunbury and Erie Railroad Company.

Witness my hand, and the seal of the said company, this 4th day of September, A. D. 1854.

(Signed)

PHILIP M. PRICE, [SEAL.]
Secretary.

Journal of Select Council, March 30, 1854—p. 136.

Mr. Smith, from same Committee, made a report, (*Appendix No. 45*), relative to the subscription to the Sunbury and Erie Railroad Company, which was read.

And being under consideration, Mr. Thomas moved that the further consideration thereof be postponed, and that it be printed for the use of members and that it be made the special business for an adjourned meeting to be held on Monday evening next.

On this question the yeas and nays were required, and were as follows, to wit:

Yeas—Messrs. Hinman, Lennig, Snowden, Thomas, Waterman—5.

Nays—Messrs. Duffee, Smith, Watt, Hagert, Pres't—4.

So the question was decided in the affirmative.

Appendix No. XLV.

PHILADELPHIA, March 30, 1854.

The Committee on Railroads, respectfully reports:—

That on the 6th instant they received a communication from the President of the Sunbury and Erie Railroad Company, informing them that there had been obtained, "since the 7th of January, subscriptions to the capital stock of the Sunbury and Erie Railroad Company, to the amount of upwards of one million of dollars, on which one instalment had been

paid;" and offering to present evidence of these facts to the committee.

That the committee, in order to furnish this evidence to Councils, propounded certain interrogatories, and asked for the answers under the seal of the Company; which were furnished, and are annexed hereto.

Having received this information, the committee proceeded to determine the *terms* and *conditions* upon which the Mayor was to be authorized to subscribe.

The following have been agreed upon by the committee, and the President and Managers of the Sunbury and Erie Railroad Company, and are now reported for the approval of Councils, viz :

CONDITIONS upon which the Mayor of the City is to make a subscription, in the name of "The Mayor, Aldermen and Citizens of Philadelphia," to ten thousand shares in the capital stock of the Sunbury and Erie Railroad Company :

First. That in letting the road for construction, bids should be invented for sections not exceeding one mile each.

Second. That the main road should have its northwestern terminus at the harbor of Erie.

Third. That the route of the road should be finally decided by three Engineers; one to be appointed by the Company, one by the Councils of the City, and the third, by the two so selected.

Fourth. That at least one-fourth of the million of dollars, to be now subscribed, shall be expended between Erie and Ridgway.

Fifth. That the Sunbury and Erie Railroad Company shall make no contract with any other incorporated Railroad Company, unless the same shall have been first approved by the Councils of the City of Philadelphia, so long as they own one million of dollars of stock.

Sixth. That no instalment shall be demanded from the City, until the instalments have been first paid by the parties now subscribing; and that the City shall receive full paid certificates of stock, to an amount equal to each instalment paid, if default is made in their payments by the other subscribers.

Seventh. That the Committee on Railroads shall at all

times have the right to inform themselves as to the manner in which the foregoing conditions have been carried into effect, either by examining the books of the Company, or by calling upon the President and Board of Managers, for such information as may be necessary for the purpose, or by visiting the route.

It is believed by the committee, that the foregoing conditions will be all beneficial to the Company, and protective to the interests of the City, in making the subscription. They are, therefore, recommended to Councils for their approval, as required by the provisions of the Ordinance of January 7, 1854, authorizing a subscription to be made.

All of which is respectfully submitted.

R. RUNDLE SMITH, *Chairman*,
 ROBERT KELTON,
 ALFRED M. HERKNESS,
 C. A. WALBORN,
 JOHN YARROW,
 GEORGE GRISCOM,
 J. E. HAGERT,
 W. WATT.

WASHINGTON HOUSE, }
 Philadelphia, March 6, 1854. }

R. RUNDLE SMITH, Esq., *Chairman of the Railroad Committee of Councils* :

Dear Sir—Having obtained, since the 7th of January, subscriptions to the capital stock of the Sunbury and Erie Railroad Company, to the amount of upwards of one million of dollars, on which one instalment of ten per cent. has been paid, I would be obliged to you if you would assemble the Railroad Committee of Councils, over which you preside, in order that I may present to it evidence of the above stated facts. My object, of course, is through your committee, to call upon Councils for one-half of the munificent grant made by them in aid of the Sunbury and Erie Railroad, the condition on which said grant was made, having been, so far as the one million is concerned, complied with by the Company.

I hope I shall not be deemed obtrusive, in suggesting that an early meeting of the committee would be subserving the

interests of the Company and my own personal convenience. I shall, however, cheerfully regulate my movements to suit the convenience of the committee.

I take pleasure also in stating, that I shall hold myself in readiness to furnish any information, as far as it may be in my power to do so, either to yourself or any member of the committee who may desire it.

Very respectfully and truly,
Your obedient servant,

JAMES COOPER,
President Sunbury and Erie Railroad Co.

OFFICE OF THE SUNBURY AND ERIE RAILROAD CO. }
March 9th, 1854. }

There have been subscribed to the capital stock of this Company, since the 9th of January, 1854, the following amounts, on which payments have been made into the Treasury.

| | Amounts. | Payments. |
|------------------------------------|--------------------|-----------|
| By Crane, Dillon & Co., - - | \$900,000 | \$90,000 |
| “ Joel W. White, - - - | 50,000 | 5,000 |
| “ James Goodwyn, - - - | 50,000 | 5,000 |
| “ Individuals in Philadelphia, - - | 6,600 | 660 |
| “ District of Richmond, - - | 250,000 | 250,000 |
| “ P. Choteau, Jr., Sandford & Co., | 500,000 | 50,000 |
| | <u>\$1,756,600</u> | |

On the first four items above, the instalment of ten per cent. has been paid in cash, and deposited in the Girard Bank.

The Richmond subscription has been paid in full in the bonds of the District, which are now in the possession of the Treasurer of the Company.

The subscription of P. Choteau, Jr. & Co., is payable in railroad iron, at a price quite as low as the present market rates for cash, \$69 $\frac{30}{100}$ per ton.

The first instalment has been paid in iron, now in store in Brooklyn, and subject to the order of the Treasurer of this Company.

Private subscriptions, in addition, have recently been obtained in this city, to the amount of from \$200,000 to \$300,000, but no instalment upon them has been yet paid in.

JAMES COOPER,
Pres't S. & E. R. Co.
 PHILIP M. PRICE,
Treasurer.

OFFICE SUNBURY AND ERIE RAILROAD COMPANY, }
 Philadelphia, March 14th, 1854. }

R. RUNDLE SMITH, Esq., *Chairman of Committee on Railroads, &c.*

Dear Sir :—Your favor, acknowledging the receipt of my letter of the 6th inst., and containing certain interrogatories in relation to subscriptions made to the capital stock of the Sunbury and Erie Railroad Company, since the 8th of January, 1854, was duly received; and it gives me pleasure to be able to respond to the questions propounded, in a manner satisfactory to the friends of the enterprise and the interests of the City of Philadelphia.

I will answer the several questions in the order in which they have been propounded.

1.—“Have at least ten thousand shares of the capital stock of the Company been subscribed for by responsible parties, over and above all subscriptions made prior to January 8, 1854?”

To this interrogatory I answer, that there have been more than ten thousand shares subscribed since that date by responsible parties.

2.—“What are the names and places of residence of each of the parties subscribing?”

The names and places of residence of the subscribers are as follows, to wit:

Edward Crane, of Boston, Massachusetts.

Sidney Dillon, of Dedham, “

Joel W. White, of Norwich, Connecticut.

James Goodwin, of Hartford, “

The District of Richmond, County of Philadelphia.

The four first named persons subscribed an aggregate of - - - - -

\$1,000,000

The District of Richmond, - - - - - 250,000

I have not mentioned P. Choteau, Jr., Sandford & Co., who subscribed for 5000 shares, payable in railroad iron, because there is, without their subscription, more than 10,000 shares subscribed since the 8th of January, 1854, and because a negotiation is now pending by which it is probable their subscription will be transferred to another party, and iron of American manufacture substituted for what the Company had bargained to receive from them.

3.—“Are each and all of said subscriptions absolute, or are any of them contingent?”

In reply to this interrogatory, I answer, that they are all absolute, depending on no contingency whatever.

4.—“If any of them are contingent, what are the contingencies upon which each of such subscriptions depend?”

This interrogatory is answered in my reply to the last; but I will repeat, that *none* of them are contingent.

5.—“What evidence is there of the responsibility of each of the parties making such subscriptions?”

In reply to this interrogatory, I can only say, in addition to the fact, that each of them has paid one instalment of ten per cent. on the amount of his subscription, I have received assurances from gentlemen of great intelligence and worth, that the parties, each and all of them, who have subscribed to the capital stock of the Company, are men of very large means, and whose standing for integrity has never been impeached. My inquiries on this subject were extensive, in consequence of a false and malicious report circulated here to the pecuniary discredit of one of these parties; and these inquiries were every where met by the most satisfactory assurances of the abundant responsibility, in a pecuniary point of view, of all the parties referred to.

Of the character of the subscription made by the District of Richmond, I need not speak. It is perfectly understood by the committee.

6.—“What evidence is there that no portion of such subscription is obtained from any of the cities, towns, counties or boroughs, which had already made subscriptions, prior to the date of the passage of the ordinance?”

To this interrogatory, I reply, that the evidence desired is furnished by a reference to the names of the parties who have subscribed since the date of the ordinance, all of whom are parties who had never subscribed before, nor do they re-

present any city, town, county or borough, which had ever subscribed; and you are doubtless aware that the District of Richmond never made any previous subscription to the stock of the Company. If I have apprehended the interrogatory aright, the above answer is fully.

7.—“Have the instalments of ten per cent. been paid on all these subscriptions, and deposited in the treasury of the Company? and if not, why is this not done?”

The instalment of ten per cent. on the subscription of Dillon, Crane & Co., for 9,000 shares, and on those of Joel W. White and James Goodwyn, for 500 shares each, have been paid into the treasury of the Company, and is now there. The District of Richmond has already paid to the Treasurer of the Company the bonds of the District for the whole amount of its subscription, and these bonds have been accepted by the Company.

P. Choteau, jr., Sandford & Co., who subscribed for 5,000 shares of the stock of the company, paid the first instalment on the same, in iron, at the rate of \$69 30 per ton; but, as I have before stated, there is a negotiation pending by which it is probable that their subscription will be transferred to an American firm, of abundant ability, which proposes to furnish American iron on very favorable terms.

If this negotiation should fail, the contract with P. Choteau, jr., Sandford & Co., composed of men of abundant means, will stand. This last named firm resides in New York.

I have thus fully and frankly answered your interrogatories, and hope you will find the answers satisfactory.

With great respect,

I am your ob't servant,

JAMES COOPER,
Pres't S. & E. R. R. Co.

At a meeting of the Board of Managers of the Sunbury and Erie Railroad Company, held at their office, on the 14th of March, A. D. 1854, the President submitted the foregoing interrogatories, and his answers to the same, which were unanimously approved and adopted by the Board, and are contained on the five foregoing pages.

Witness my hand, and the seal of the said company, this 14th of March, 1854.

[SEAL.]

PHILIP M. PRICE, *Secretary.*

*Journal of Select Council, June 1, 1854, p. 173—Appendix, No. 60
pp. 278—284.*

OFFICE OF THE SUNBURY AND ERIE R. R. Co., }
May 25, 1854. }

JOHN YARROW, ESQ., *President of the Common Council:*

Dear Sir:—I have the honor to inform you, that the Sunbury and Erie Railroad Company have had subscribed to their capital stock, since the 7th of January, 1854, over twenty thousand shares, in accordance with the terms of the ordinance of Councils of that date: that is to say, ten thousand shares in addition to the ten thousand subscribed by the Mayor of the City on the 28th ult.

The evidence of the subscriptions will be furnished to the Railroad Committee of Councils immediately. Be good enough to present this communication to that branch of the City Councils over which you preside.

Very respectfully, your ob't servant,

JAMES COOPER,
President of Sunbury and Erie R. R. Co.

OFFICE OF THE SUNBURY AND ERIE R. R. Co., }
May 30, 1854. }

R. RUNDLE SMITH, ESQ., *Chairman of the Railroad Committee.*

Dear Sir:—I communicated to Councils, on the 24th inst., that the Sunbury and Erie Railroad Company had procured subscriptions to their capital stock, since the 7th of January last, upwards of twenty thousand shares; that is to say, ten thousand shares over and above the ten thousand on which the Mayor of the city subscribed on the 28th ultimo. I now make a like communication to you, as Chairman of the Railroad Committee, accompanied by a general statement of the sources from whence the subscriptions have been drawn. They are as follows:

| | | |
|---|-------|---------------|
| District of Richmond, | - - - | 2,500 shares. |
| Montour Iron Company,* | - - - | 5,000 “ |
| Individuals, resident in Philadelphia, over | - - - | 2,500 “ |

On the above subscriptions, one instalment of ten per cent.

* Substituted for the Choteau subscription.

has been paid, except in the case of the District of Richmond, which has given the company bonds for the whole amount of its subscriptions.

The company expect, besides the above subscriptions, one of \$500,000 from the Cleveland, Paynesville and Ashtabula Company, in the course of a fortnight or three weeks; and inasmuch as the latter has offered to put the Sunbury and Erie Company in the possession of bonds to the whole amount, at once, provided the City will do the same, I beg leave to call your attention to the fact, in order that you may make such recommendation on the subject as the committee may think proper. I also desire to suggest, that the District of Richmond, having delivered to the company bonds to the amount of \$250,000, the city should furnish the company with bonds to an equal amount, in addition to her instalment on the residue of the million, that is to say, \$325,000 in the whole. The company have contracts for iron, which require them to make provision to meet them; and at present, city securities can be negotiated on much better terms than other securities which the company have in their hands, in the shape of county and other municipal bonds. They hope, therefore, that the Committee will recommend that bonds to the amount indicated, at least be issued.

Enclosed, the Committee will find a list of the names of the subscribers, with the amounts by them respectively subscribed. On these subscriptions, one instalment of ten per cent. has been paid in, as witness the seal of the company.

Yours, very respectfully,

[SEAL.]

JAMES COOPER,
President of Sunbury and Erie R. R. Co.

I, Philip M. Price, Treasurer of the Sunbury and Erie Railroad Company, certify that the following amounts, in addition to the \$1,000,000 subscribed by Edward Crane, Joel W. White and James Goodwyn, have been subscribed by the district, companies and individuals respectively, as set forth, and that one instalment of ten per cent. has been paid on each and every of the amounts so subscribed. And I further certify, that all of the above subscriptions have been made in strict accordance with the provisions of the ordinance of Councils,

passed the 7th day of January last. The following are the amounts subscribed :

By the District of Richmond, (paid in full,) 2,500 shares.

| | | | | | |
|---|-------------------------------|---|---|-------|---|
| " | Montour Iron Company, | - | - | 5,000 | " |
| " | C. & J. Fallon, | - | - | 1,000 | " |
| " | John Tucker, | - | - | 200 | " |
| " | E. W. Clark & Co., | - | - | 100 | " |
| " | G. H. Boker, | - | - | 100 | " |
| ✓ | James Cooper, | - | - | 50 | " |
| " | James D. Whetham, | - | - | 200 | " |
| " | A. M. Jones, | - | - | 50 | " |
| " | Ralph Bogle, | - | - | 100 | " |
| " | David Man, | - | - | 50 | " |
| " | Thomas H. Peirce, | - | - | 50 | " |
| " | Grier & Griffy, | - | - | 50 | " |
| " | J. B. & W. G. Moorhead, | - | - | 100 | " |
| " | Lewis Jamison, | - | - | 50 | " |
| ✓ | Philip M. Price, | - | - | 200 | " |
| " | William S. Allen, | - | - | 5 | " |
| " | James Armstrong, | - | - | 3 | " |
| " | Daniel Deal, | - | - | 10 | " |
| " | Sol. Demears, (paid in full,) | - | - | 5 | " |
| " | Evan Elwell, | - | - | 10 | " |
| " | William C. Flanigen, | - | - | 10 | " |
| " | Charles Gibbons, | - | - | 1 | " |
| " | James C. Hand, | - | - | 5 | " |
| " | Franklin Platt, | - | - | 20 | " |
| " | George Payne, | - | - | 20 | " |
| → | Josiah Randall, | - | - | 5 | " |
| → | Samuel J. Randall, | - | - | 5 | " |
| " | William P. Hamm, | - | - | 2 | " |
| " | Sowers & Barnes, | - | - | 2 | " |
| " | W. H. Love & Son, | - | - | 5 | " |
| " | William Fortnum, | - | - | 1 | " |
| " | Lindley Haines, | - | - | 5 | " |
| " | Rubincam & Sellers, | - | - | 4 | " |
| " | W. H. Schively, | - | - | 1 | " |
| " | John M. Whitall, | - | - | 5 | " |
| " | A. Whiteside, | - | - | 1 | " |
| " | Lewis, James & Co., | - | - | 10 | " |

Carried forward, - - - " 9,935

| | |
|-----------------------------------|-----------------------|
| Brought forward, - - - | 9,935 shares. |
| By Gaul & Lewis, - - - | 5 " |
| " J. B. Okie, - - - | 5 " |
| " Wray & Gillilan, - - - | 5 " |
| " West, Forbes & Lloyd, - - - | 5 " |
| " Hay & McDevitt, - - - | 5 " |
| " William D. Jones, - - - | 5 " |
| " Sinnickson, Martin & Co., - - - | 2 " |
| " William Bowers, - - - | 5 " |
| " C. Ellis & Co., - - - | 3 " |
| " Fales, Lothrop & Co., - - - | 5 " |
| " R. Williams, Son & Co., - - - | 5 " |
| " C. B. Rogers, - - - | 2 " |
| " John W. Stokes, - - - | 30 " |
| Total, - - - | <u>10,017 shares.</u> |

In testimony whereof, I have hereunto set my hand and affixed the seal of the said Company, this thirty-first day of May, A. D., 1854.

[L. s.]

PHILIP M. PRICE, *Treasurer.*

PHILADELPHIA, May 30, 1854.

JACOB E. HAGERT, Esq.—*Dear Sir:*—It is desirable that there should be a meeting of the Railroad Committee of Councils, early enough to enable them to make report to the adjourned meeting of Councils, to be held on Thursday night. Mr. Smith is absent, and I have therefore called upon you, hoping that you would give the necessary notice for a meeting of the committee, to be held, say to-morrow night.

I suppose that the action required of the committee, will be merely formal in this instance. The old conditions will, I presume, be applicable, except that inasmuch as the District of Richmond has delivered to the Company bonds for the whole of its subscription, the city will be authorized by Councils, to deliver an equal amount. This, with the balance of the first instalment of ten per cent. on the second million, subscribed to the capital stock of the Company, will amount to \$350,000.

To enable the Company to meet existing engagements, and

prosecute the work with a proper degree of vigor, this amount of bonds will be necessary from the city.

It is also very important that this matter should be disposed of by the present Councils, for if it be delayed beyond their term of office, the new Councils will not be in a state to dispose of it for months to come, and in the meantime the work on the road will not be commenced.

I hope, therefore, that you will get the committee together early enough to make report to Councils at their adjourned meeting on Thursday night. I will attend your meeting, and cheerfully answer all and every question that you may propound to me. The certificate, however, will be so full, as probably to obviate the necessity of many of the interrogatories propounded, when the first million was applied for.

Yours, very respectfully,

JAMES COOPER.

Journal of Select Council, June 1, 1854—pp. 173, 174.

Adjourned meeting.

Council met—Present Messrs. Duffee, Perkins, Poulson, Snowden, Thomas, Waterman, Watt, Hagert, President.

Mr. Watt, from the Committee on Railroads, to whom was referred a communication from James Cooper, President of the Sunbury and Erie Railroad Company, made report (*Appendix No. 60,*) with two resolutions annexed, to wit:

Resolved, That the Mayor be, and he is hereby authorized to subscribe in the name of this Corporation, for ten thousand shares in the capital stock of the Sunbury and Erie Railroad Company: being the second subscription to said capital stock provided for in the ordinance passed January 7th, 1854, entitled "A Supplement to An Ordinance, passed February 3d, 1853, entitled "An Ordinance to authorize a subscription on the part of the city, to the capital stock of the Sunbury and Erie Railroad Company."

Resolved, That the Committee on Finance be authorized to anticipate the payment of the second, third, and one-half of the fourth instalments, to grow due on the subscription made by this Corporation, on the 28th of April, 1854, for ten thousand shares in the capital stock of the Sunbury and Erie Railroad Company, and to issue to said Company certificates of

City Loan for the amount thereof, to wit: the sum of two hundred and fifty thousand dollars, as provided in the ordinance passed January 7th, 1854, authorizing a subscription to the capital stock of the said Company.

Which was read.

On motion, Council proceeded to the second reading and consideration thereof.

The first resolution was agreed to.

The second resolution was agreed to.

Common Council concurred.

Journal of Common Council, June 8, 1854—pp. 191, 192.

Mr. Wickersham offered the following Preamble and Resolution:

Whereas, The Sunbury and Erie Railroad Company, on the 25th day of November, 1853, executed a mortgage to the amount of \$700,000 to enable them to complete that portion of their road lying between Milton and Williamsport, and at the same time leased the same to the Catawissa, Williamsport and Erie Railroad Company, in consideration of their guaranteeing the payment of the bonds above referred to, the Sunbury and Erie Railroad Company reserving the right to cancel said lease, at any time, by the payment or cancellation of the said bonds.

And whereas, At the time, it was believed to be the best arrangement to promote the interest of the Sunbury and Erie Railroad Company, in consequence of their inability to carry on the work then under contract without such aid.

And whereas, It is believed the interests of the Company, as well of the City, will be greatly promoted by the cancelling of said lease, therefore, be it

Resolved, That the Finance Committee be, and they hereby are authorized to anticipate the payment of five instalments of ten per cent. on the second subscription of ten thousand shares in the capital stock of the Sunbury and Erie Railroad Company, payable in the six per cent. bonds of the City at their par value, said instalments to be specially applicable under the directions of said Finance Committee to the redemption and cancellation of the loan of the said Railroad

Company for seven hundred thousand dollars, guaranteed by the Catawissa, Williamsport and Erie Railroad Company.

Which was read.

Mr. Lapsley moved that the further consideration of the same be postponed for the present.

Which was not agreed to.

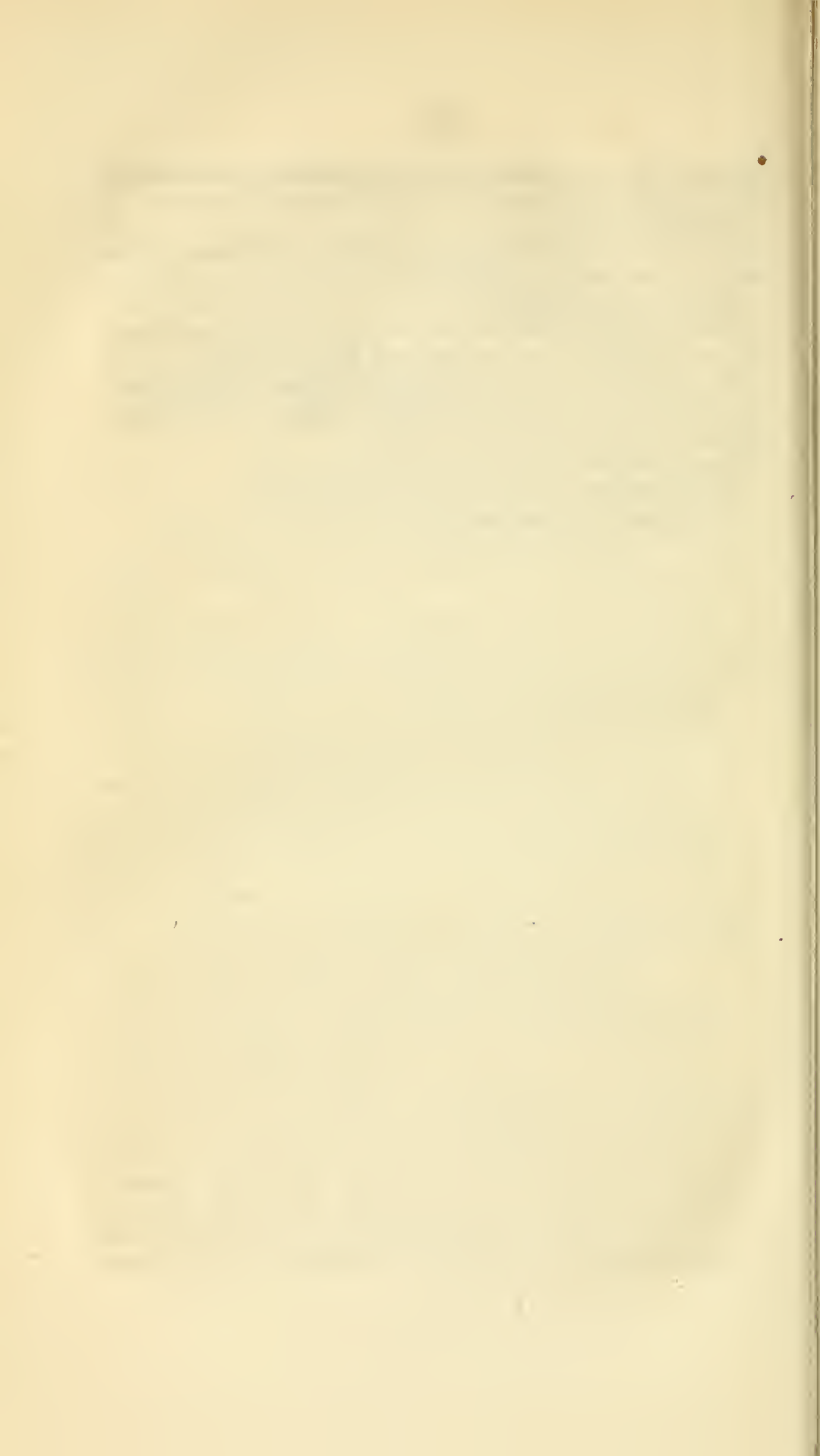
And on the question, will Council agree to the resolution? the yeas and nays were required, and were as follows:

Yeas.—Messrs. Abbey, Copeland, Griscom, Hansell, Hoffman, Irwin, Pohl, Porter, Randall, Riddle, Smith, Stuart, Walborn, Wickersham, Yarrow—15.

Nays.—Messrs. Agnew, Kelton, Lapsley—3.

So the question was decided in the affirmative.

The Preamble was agreed to.



APPENDIX No. 61.

To the Select and Common Councils of the City of Philadelphia.

An ordinance establishing a Sinking Fund for the City of Philadelphia having been reported to Common Council by the Committee on Finance, and after a partial consideration by that body, having been recommitted to the committee for alterations and amendments, has claimed their earnest and united attention. The committee, duly impressed with the great importance of the subject, and sensible that the interests of the community demand prompt and decided action in reference to the measure, have, after such mature deliberation as they have been able to give the matter, agreed to submit the accompanying bill, as the result of their united and careful labors.

A brief statement will suffice to show the ground-work on which the bill has been framed, as well as to test the correctness of the conclusions at which the committee have arrived.

| | | |
|---|-------|----------------|
| The amount of loans and ground-rents belonging to the Sinking Fund of the late City, less amount of stocks in railroad companies, at the period of the organization of the present City government, was | - - - | \$628,036 57 |
| Amount of loans of the County of Philada., | - | 315,258 08 |
| “ “ Spring Garden, | - - | 44,900 00 |
| “ “ Guardians of the Poor, | | 39,434 53 |
| | | <hr/> |
| | | \$1,081,629 18 |

Amount of stocks and bonds of Guardians of the Poor, supposed to be of no value, \$37,909 88; the whole amount of which, by the provisions of the Act of Consolidation, passed into the treasury.

The funded debt of the Consolidated City is as follows:—

Amount of loans issued to railroad companies are, viz:—

| | | |
|------------------------------|---------|-------------|
| Pennsylvania Railroad, | - - - - | \$5,000,000 |
| North Pennsylvania Railroad, | - - - | 1,400,000 |
| West Hempfield | “ - - - | 600,000 |
| Sunbury and Erie | “ - - - | 1,200,000 |
| North Western | “ - - - | 75,000 |
| | | <hr/> |
| Making, in the aggregate, | - - - | \$8,275,000 |

Amount of funded debt of the City, in which the above loans to railroad companies are included, are, viz:—

| | | | | |
|---------------------------------|---|---|-------------|-----------------|
| Amount of five per cent. bonds, | - | - | \$3,552,512 | 84 |
| “ six “ “ “ | - | - | 12,060,274 | 73 |
| | | | | \$15,612,787 57 |

To which amount may be hereafter added the following, viz:—

| | | | | |
|---|---|---|-------------|-----------------|
| Balance of subscription to Sunbury and Erie Railroad, not yet issued, | - | - | \$1,050,000 | 00 |
| Do. to North Western R. R., not yet issued, | | | 675,000 | 00 |
| | | | | \$17,337,787 57 |

This amount is exclusive of the Sinking Fund above stated, all of which has been absorbed by the treasury, in accordance with the Act of Consolidation, and cancelled.

Now, it will be perceived, that if we deduct from the aggregate amount of the funded debt, the amount of loans to railroad companies, we shall have the sum of \$8,062,787 57, as the nett amount issued for strictly municipal purposes. But inasmuch as a portion of these loans to railroad companies may not continue to be productive, or in other words, may fail hereafter to pay the interest as it falls due, it would doubtless be prudent, in making proper estimates for a Sinking Fund, to allow a reasonable margin for such a contingency.

If, therefore, we assume \$10,000,000 as a basis, we cannot doubt but that that amount will abundantly secure every interest, and in the end be found to be rather above than below the legitimate standard.

The time to which these loans extend, embraces a period of fifty years, the last one falling due in 1904. The committee, however, have not considered it advisable, in making their estimates, to go beyond the period of thirty years, which may be deemed as nearly, if not quite, the average time.

They have, therefore, assumed the debt as ten millions of dollars, and propose to appropriate a sum quarterly as a Sinking Fund, which shall be sufficient in thirty years to extinguish that amount. The sum proposed to be passed to the credit of the Sinking Fund is one per cent on the above amount, or one hundred thousand dollars per annum, in quarterly instalments

of 1.4 of one per cent., or twenty-five thousand dollars, which sum, together with the income from ground-rents, mortgages, &c., which by the second section of the bill are to be applied to the credit of the fund, will be found, by an accurate calculation, to yield, in thirty years, the full amount of \$10,000,000.

A strict adherence to these provisions, in addition to those contained in the first section of the bill pledging "all the real estate belonging to the City of Philadelphia, which the said corporation are authorized or may be authorized to sell, without being required to appropriate the proceeds specifically by the power allowing such sale; all stock in railroad, canal, plank road or other corporations, and all mortgages owned by the same, to the payment of the funded debt of the corporation."

A faithful carrying out of these provisions cannot, it is believed, fail to convince the most skeptical of the entire soundness of these loans, but of their ultimate and speedy extinguishment. The committee, in submitting the ordinance herewith reported, would beg to state that they have been entirely governed by a desire to give to the loan-holders, on the one hand, an assurance of the final redemption of the loans, and, on the other, to satisfy the tax-payers that the burden of taxation shall not be carried beyond a proper limit.

The committee have not deemed it advisable at the present time, to enter into any minute calculations as to the surplus which may remain in the treasury at the expiration of this or the next fiscal year. They believe, from the most reliable estimates which it has been in their power to make, that at the present rates of assessment, an ample revenue will be realized to meet all the just requirements of the government, including the sum provided for the Sinking Fund. This will most assuredly be the result, provided a prudent economy is manifested on the part of Councils, and no measures of doubtful expediency or extravagance entertained or countenanced.

The heavy debt growing out, in part, of the various and in too many cases injudicious appropriations by several of the late municipalities, on the eve of consolidation, renders it obligatory on the part of those who are charged with the government, to see to it, that the means at their disposal are husbanded with the utmost care.

Public sentiment and the best interests of the City, alike demand a rigid economy in the administration of our fiscal affairs. The public debt is already too large, and the burden resting on the tax-payers as heavy as they will uncomplainingly bear; to increase it, therefore, under existing circumstances, by any act save that alone of absolute necessity, the committee deem would be unwise, unjust, and altogether inexpedient.

JOHN U. GILLER, *Chairman*,
WILLIAM F. SMITH,
W. P. HACKER,
O. P. CORNMAN,
ALGERNON S. ROBERTS,
WILLIAM B. R. SELBY,
WILLIAM S. SMITH.

APPENDIX No. 62.

To the Select and Common Councils.

The Committee on the Department of Highways, Bridges, Sewers, and Cleansing the City, to whom was referred the petitions for the removal of the City Railroad from Market, Third and Dock streets, and also the application for authority to lay a passenger line of rails from the Exchange to Fairmount and Girard College, have had the same under consideration, and

Report, that on former and frequent occasions, the Councils of Philadelphia have been urged to remove the railroad from Eighth and Market streets eastward, but investigation has invariably resulted in the conviction, that the advantages of this road to the commercial and jobbing interests of Philadelphia were so great, that the local inconveniences incident thereto, should be borne with. These, however, ought to be made as light as possible, by keeping the road in good order, whereas the present dilapidated condition renders the use of it difficult and inconvenient.

The facts and arguments of former reports being of record, it is deemed unnecessary, at this time, to give statistical statements or estimates other than those of the Superintendent of Railways herewith subjoined, which set forth in distinct terms the superiority and saving of railroad transportation over the ordinary mode of carriage, even for short distances. This

advantage has, however, been so obvious to the Directors of the Pennsylvania Railroad Company, that they have established, and at great expense maintain depots to receive, with teams to carry their freight and passengers but little more than a mile after disconnecting the locomotive engines.

The necessity of connecting our interior railroads with the Delaware front of the city, was early admitted, and must be far more apparent since the opening of continuous lines to the rich valleys of the Ohio and Mississippi. For all the other great railway lines termini on the Delaware river have been deemed essential, and the Pennsylvania Railroad being, perhaps, more immediately connected with, and subservient to, the commerce of our port than any other, the inducements are the stronger to bring its business into close proximity with the shipping.

The facilities afforded to the business community by properly constructed and well-managed railways, even in densely populated towns, have led to their introduction through the streets and thoroughfares of nearly all our commercial marts, as well as inland cities. In the City of New York, both merchandise and passengers are conveyed on railroad to and from the very centre of their crowded population.

It is too obvious to need demonstration, that the same amount of goods, or the same number of people, will not occupy more than about one-fourth of the space in railroad cars, that they would require by the usual means of conveyance through our streets, and consequently the obstruction, together with wear and tear, would be proportionably less.

There is room for a far more active business in the large warehouses at the foot of Dock street, belonging to the corporation and to individuals, but the inferior character and bad condition of the present road, and especially the unsettled policy of the City government in regard thereto, have retarded the increase which was anticipated on the opening of the Pennsylvania Railroad.

It is time that the question of removing or continuing this road were finally settled and determined. Without a fixed and permanent policy on the part of the City government, property-holders and others interested, forbear making such arrangements for the transaction of business, as a continuous and certain future alone will justify.

The removal of the market sheds; the relaying of the road in a substantial and durable manner, and making a return

track up Second or Fourth to Market street, would so greatly improve the whole system, that while the business might be largely increased, the obstruction would be almost entirely obviated.

The committee are decidedly of opinion, that all turn-tables should be removed from the road, and that no permits should hereafter be granted for their use in the streets of the City, nor should any "turn-outs" from the railroad be allowed between Eighth and Second streets.

Resolutions are herewith submitted in conformity with the views of the committee, and also a bill for making an appropriation to the Department of Highways for the relaying of the railroad in Third and Dock streets from market to Walnut street.

A detailed estimate of the cost of renewing the road in the most approved manner, as furnished by the Chief Commissioner of Highways, is also subjoined.

The introduction of a system of railways throughout the City, exclusively or principally for the conveyance of passengers, involves important considerations, and demands the most careful and deliberate investigation, before determining on, or adopting any plan.

The convenience of the citizens may be incalculably promoted by a series of railway lines, extending through and branching from one of the principal streets, as Market street, to run north and south into the suburban districts, with others extending eastward and westward in a similar manner, and all intersecting or uniting, so as to form connections with central points, as the Exchange and Penn Square.

Previously to any action on the memorial of Messrs. Parish and Maderia, the committee recommend that the Departments of Surveys and Highways be instructed to report jointly to Councils on a plan or system of railways for the City of Philadelphia, with such details and suggestions as they may deem appropriate.

A resolution to that effect is herewith annexed.

SAMUEL COPELAND, *Chairman*,
CHARLES HUBBARD,
NATHAN HILLES,
ALGN. S. ROBERTS,
HENRY C. PRATT,
B. R. MILLER,
O. P. CORNMAN.

Resolved, That the railroad from Eighth and Market streets to its terminus at Dock street, is necessary for the public good, and ought not to be removed.

Resolved, That Messrs. Harris & Leech be notified by the Chief Commissioner of Highways, to remove the turn-table and railway connection therewith in Third street, south of Market street, at the expiration of their present lease, which expires February 1st, 1856.

Resolved, That the Departments of Highways and Surveys be instructed to report jointly to Councils a plan or system of railways for the conveyance of passengers throughout the City, accompanied with such suggestions or recommendations as may be deemed appropriate.

Statement by John Neff, Superintendent of the City Railroad.

The following shows the cost of constructing the Market street Railroad, from Eighth street to its eastern terminus at Dock street, and the income and expenditure thereof:—

| | | | | | | |
|----------------------------------|---|---|---|---|----------|----|
| Cost of construction, | - | - | - | - | \$99,392 | 76 |
| Less, proceeds of old materials, | - | - | - | - | 13,838 | 31 |
| Nett cost, | - | - | - | - | \$85,553 | 95 |

| <i>Income.</i> | | <i>Care and Repairs.</i> | |
|---------------------------------------|-----------|--------------------------|------------|
| 1839, - - - - | \$675 00 | 1839, - - - - | \$2,470 35 |
| 1840, - - - - | 1,747 06 | 1840, - - - - | 2,614 72 |
| 1841, - - - - | 3,154 60 | 1841, - - - - | 2,848 92 |
| 1842, - - - - | 2,855 82 | 1842, - - - - | 3,293 11 |
| 1843, - - - - | 3,923 45 | 1843, - - - - | 1,687 65 |
| 1844, - - - - | 3,341 36 | 1844, - - - - | 7,197 13 |
| 1845, - - - - | 2,443 27 | 1845, - - - - | 3,963 24 |
| 1846, - - - - | 3,202 21 | 1846, - - - - | 5,662 89 |
| 1847, - - - - | 3,802 88 | 1847, - - - - | 4,516 37 |
| 1848, - - - - | 3,788 40 | 1848, - - - - | 4,418 70 |
| 1849, - - - - | 4,387 42 | 1849, - - - - | 5,012 83 |
| 1850, - - - - | 4,536 80 | 1850, - - - - | 4,470 75 |
| 1851, - - - - | 12,179 72 | 1851, - - - - | 6,800 00 |
| 1852, - - - - | 12,900 17 | 1852, - - - - | 7,290 38 |
| 1853, - - - - | 12,993 91 | 1853, - - - - | 5,295 00 |
| 1854, from Jan. 1st to Sept. 18th, | 9,929 02 | | |

Of the amount collected in 1853, the road, east of Eighth street, paid as follows:—

| | |
|---|------------|
| Harris & Leech, - - - - - | \$1,081 15 |
| Lewis & Butler, - - - - - | 825 64 |
| Atkins & Co., - - - - - | 202 08 |
| Pennsylvania R. R. Co., on emigrant passengers, | 379 37 |
| Transient cars, (estimate,) - - - - - | 250 00 |
| Bingham, to April, 1853, - - - - - | 174 85 |

\$2,913 09

Of the amount received in 1854, the road, east of Eighth street, has paid as follows:—

| | |
|---|----------|
| Harris & Leech, - - - - - | \$779 07 |
| Lewis & Butler, - - - - - | 673 89 |
| Pennsylvania R. R. Co., on emigrants, - - - - - | 297 06 |
| Transient cars, (estimate,) - - - - - | 175 00 |

\$1,925 02

The emigrant passenger account has been running since June 1st, 1854, and would now be, I judge,

| | |
|-----------|--------|
| - - - - - | 150 00 |
|-----------|--------|

\$2,075 02

The amount of merchandise and western produce carried over the Third and Dock Street Railroad, by Messrs. Harris & Leech and Lewis & Butler, for the eight months, beginning January 1st, 1854, and ending September 1st, 1854, was:

| | |
|--|---------------------|
| Merchandise, westward, - - - - - | 32,224,539 pounds. |
| “ eastward, - - - - - | 36,352,146 “ |
| | <u>68,576,685 “</u> |
| And by transient cars, - - - - - | 3,000,000 “ |
| “ Pennsylvania Railroad Company, 4,000,000 “ | |
| | <u>75,576,685 “</u> |

Equal to 38,000 tons.

Besides the above, Harris & Leech and Lewis & Butler delivered 7,500,000 pounds of bituminous coal at the Gas Works.

A train consists of six cars, whose full capacity, as determined by the State, is 48,000 pounds.

To convey the above 38,000 tons of freight, would require 1,575 trains, or 9,450 cars. The charge for hauling a car, from Broad street to the terminus of the railroad at Dock street, is 25 cents. The expense would be thus:—

| | | | | | |
|-------------------------------|---|---|---|---------|----|
| 9,450 cars, at 25 cents each, | - | - | - | \$2,362 | 50 |
| Tolls on cars and freight, | - | - | - | 1,627 | 96 |
| | | | | <hr/> | |
| | | | | \$3,990 | 46 |

To haul the above 32,224,539 pounds of merchandise, that passed westward, on drays to Broad street, at an average of 1500 pounds to the load, would require 21,483 drays, and the cost would be, at 50 cents per load, \$10,741 50.

On the freight eastward, 43,352,000 pounds of western produce, for easy calculation divide into two classes, thus:—

Bacon, pork, beef, lard, tallow, wool, starch, cotton and produce generally, say 21,000,000 pounds, at 1500 pounds to the dray load, would be 14,000 loads, at 50 cents per load, \$7,000.

The remainder of the produce coming eastward, 22,352,000 pounds, call all flour; this would be equivalent to 103,480 barrels; at 10 barrels to the furniture wagon load, would be 10,348 loads, at 50 cents per load, \$5,174.

In addition to this, there are commission charges on all produce landed on Broad street, and destined for re-shipment. These charges are set forth in the circular of the "Corn Exchange Association of Philadelphia," thus:—

"Commission for receiving and shipping hence to other ports—

"On flour and meal, $6\frac{1}{4}$ cents per barrel; hogsheads 25 cents; grain and seeds one cent per bushel."

The account would stand as follows:—

Cost of Transportation by Railroad.

| | | | | | |
|--|---|---|---|---------|----|
| Hauling 9,450 cars, at 25 cents per car, | - | - | - | \$2,362 | 50 |
| Tolls on cars and freight, | - | - | - | 1,627 | 96 |
| | | | | <hr/> | |
| | | | | \$3,990 | 46 |

Cost of Transportation by Drays, &c.

| | |
|--|--------------------|
| Freight westward, 21,483 dray loads, at 50 cts., | \$10,741 50 |
| Freight eastward, bacon, &c., 14,000 loads, at 50 cents, - - - - - | 7,000 00 |
| Commissions, say on 10,500 hogsheads of bacon, &c., at 25 cents per hogshead, - - - | 2,625 00 |
| 103,480 barrels flour, 10,348 loads, at 50 cents, | 5,174 00 |
| Commissions, 6¼ cents per barrel, - - - | 6,467 50 |
| | <hr/> |
| | \$32,008 00 |
| Expense by railroad, - - - - - | 3,990 46 |
| | <hr/> |
| | <u>\$28,017 54</u> |

Showing a clear difference in favor of the railroad, of \$28,017 54, during the past eight months.

JOHN NEFF,

Superintendent City Railroad.

ESTIMATE for relaying *Third Street Railroad*, beginning 100 feet north from the south line of *Market*, thence along *Third street* to *Dock street*, and along *Dock* to *Walnut street* :—

| | |
|--|-------------------|
| Groved rail, 84 pounds to the yard, 43 tons, at \$75, - - - - - | \$3,225 00 |
| Iron rods, spikes, &c., - - - - - | 575 00 |
| 27,000 feet string pieces, 8 by 12 inch, at \$35, | 950 00 |
| 600 cross-ties, - - - - - | 250 00 |
| Labor at digging, carting, &c., - - - - - | 2,000 00 |
| | <hr/> |
| | \$7,000 00 |
| For repaving <i>Third street</i> with cubical blocks, | 800 00 |
| | <hr/> |
| | <u>\$7,800 00</u> |

THOMAS BIRCH,

Chief Commissioner of Highways.

APPENDIX No. 63.

PHILADELPHIA, August 24th, 1854.

To the Select and Common Councils of the City of Philadelphia.

GENTLEMEN:—We, the undersigned, the engineers and contractors for the West Philadelphia, now the Twenty-fourth Ward Water Works, would respectfully call your attention to our account, and ask that some arrangements may be made, by which we can procure an early settlement and payment of such an amount as may be due us.

We would not thus intrude upon your attention, but that we have been doing a large amount of work for the City, and necessarily making very heavy expenditures. We have pushed the work with energy, and employed a large force upon it up to the 15th of July last, and since then have, and now are employing a number of hands upon the same.

The amount due us, (as far as examined by the appraisers mutually appointed,) on the 13th of July last, was 48,172 30, since which time until the 22d of this month, 6,892 46 has been expended. We have paid for nearly all work and material, and can assure you there is not \$2,000 unsettled by us upon the work.

Under the present state of the money market, we find it exceedingly difficult to sustain ourselves with such an amount of capital invested in this operation. We are anxious to complete the works, and as the season is advancing, we feel desirous to get our buildings enclosed, so that we may finish during the coming winter; to accomplish which it will be necessary to push the work, and trust you will render us your early assistance to do the same.

Very respectfully yours,

BIRKINBINE & TROTTER.

No. 16 Arch Street, Philadelphia.

—
COMMON COUNCIL CHAMBER, }
Philadelphia, August 24th, 1854. }

At a meeting of the Select and Common Councils, held this day, the enclosed communication was referred to a Joint

Special Committee of three from each chamber, with instructions to obtain all the facts connected with the construction of the West Philadelphia Water Works, and report to Councils.

And the President appointed Messrs. Butcher, Dennis and Hilles, on the part of Common Council.

And on the part of Select Council, Messrs. Hinman, Miller and Bullock.

From the minutes.

Attest,

J. M. RILEY,
Clerk to Common Council.

The Joint Special Committee, to whom was referred the communication of Messrs Birkinbine & Trotter, contractors in the Twenty-fourth Ward Water Works, with directions to ascertain all the facts in the case, beg leave to submit the following report:

On the 15th day of January, A. D. 1853, the Commissioners of the District of West Philadelphia, entered into a contract with Messrs. Birkinbine & Trotter, for the construction of Water Works, and introduction of water in the District; which contract was, on the 17th day of March, 1853, slightly modified. This contract was made in pursuance of a report and resolution submitted to the Commissioners on the 3d of January, A. D. 1853, and by them adopted; and was subsequently ratified by ordinances, passed respectively on the 26th of February, 1853, and 16th of March, 1853. In these proceedings, the Board acted under authority conferred by an Act of Assembly passed on the 1st of May, 1852. Copies of the Report, Contracts and Act of Assembly are contained in papers hereto annexed.

By the terms of this contract, it will appear that Messrs. Birkinbine & Trotter agreed to convey to the District a certain lot of ground, on which they were to construct a reservoir, an engine, boiler house, &c., in the manner herein stated. They were further to furnish, and lay through the streets of the District thirty thousand feet of iron pipe, of the dimensions therein stated. The particulars of this work appear in the contracts referred to. Birkinbine & Trotter were to receive therefor the sum of \$120,000, as therein specified. Of this sum, \$104,000 was to be paid as the

work progressed, in monthly instalments, and the remaining \$16,000 after the completion of the contract; the work and materials to be appraised, from time to time, by two persons chosen by the parties respectively, these two to select a third, in the event of a disagreement.

Under the above contracts, the work progressed until the month of August, 1853, when several alterations and additions were made in the plan of the works. The first change was in the quantity and calibre of the water pipes, which it was found would have to be at least doubled in each respect. This was unanimously recommended by the committee on the 1st of August, 1853, and at the next meeting of the Board they were authorized to "increase the average calibre of the water pipes, so as to insure a full supply of water at all times, and to extend the pipes so as to afford an equal distribution of water throughout the District." For further information on this point, see printed report hereto annexed, of May 22d, 1854, pp. 5, 6.

In consequence of the streets of the District not being fully graded, it was necessary, in many instances, to lay the pipe at a much greater depth than called for in the contract, in which cases it was provided that it should be paid for by the District.

By reference to the plan of the District Surveyor, it will appear that Sixth street, or Blockley street, as continued northward, would have passed directly across and over the middle of the subsiding reservoir. This was probably lost sight of when the original plan was adopted. However that may be, the Board was called upon to decide upon the construction of a bridge, &c., and referred the matter to a committee. It was found that a suitable bridge, with abutments and piers, would cost from \$8,000 to \$10,000. Upon the recommendation of the Surveyor, it was decided to carry the street more to the eastward, and over the east end of the basin, shortening the latter about forty feet. In order to give the basin the same capacity, and secure other advantages, it was suggested to increase its depth six feet. This was finally decided upon, and the agreement with the contractors in reference to it will be found hereto annexed.

The contractors originally proposed Cornish engines, and in their report set forth their advantages over the engines ordinarily used in this country. The superior advantages of

the Cornish engine was, however, probably counterbalanced, in the opinion of the former Board, by its greater cost, and accordingly the contract was made for two high-pressure steam engines, &c., as described on the original contract. Experience, however, at the Germantown, Kensington and Spring Garden Water Works, began to demonstrate the superior efficacy, economy in fuel, and reliability of the Cornish engine, and the subject was referred to a committee to consider. This committee visited some Cornish engines in the neighborhood, and made a full and detailed report recommending their adoption. It appeared that the additional cost of the engines, pumps, boilers, &c., (\$25,000,) would be paid for by the saving of fuel in about eight years, and that a very great saving would be made in the repairs, services, &c. The great durability of the Cornish engine was a prominent fact in their question, but its superior adaptation in the supply of water through the stand-pipe was, perhaps, as influential as any other consideration. The contract in reference to these Cornish engines will also be found in said agreement hereto annexed. At the suggestion of the Board of Commissioners of West Philadelphia, certain alterations were made in the stand-pipe, a statement of which will also be found among the papers which are hereto annexed.

Under the terms of contract, each party appointed an appraiser, and various appraisements and payments were made from time to time; without intending to bind either party upon the final settlement of accounts, by what may be said in this report, your committee will merely state the result of these appraisements and payments. The total amount of appraisements as made to September 5th, 1854, is \$225,716 67, and the total payments have been \$178,908 06. (See printed report, appraisements, and other papers annexed.) From information received, your committee are of the opinion that the cost of the work yet to be done, will be about \$25,000, and they are convinced that the public interest requires its completion at the earliest possible moment. Your committee therefore recommend an appropriation of \$35,000, of which \$20,000 shall be paid immediately to the contractors, \$7,500 in thirty days, and \$7,500 when the contractors shall commence supplying the District with water. This amount can be paid without injuriously affecting the public funds, inasmuch as there are now, and will be filed, liens for water pipe

laid, and to be laid in the said District, to the amount of over \$70,000, and which will be available as soon as the works are in operation.

JOHN BULLOCK,
D. B. HINMAN,
WILLIAM H. DENNIS,
NATHAN HILLES,
T. T. BUTCHER.

—

PHILADELPHIA, Oct. 12, 1854.

MR. T. T. BUTCHER, *Chairman of Committee on Twenty-Fourth Ward Water Works.*

DEAR SIR:—In answer to your questions we would reply : First—As to the amount of money which will enable us to put the works into operation, so that the District may be supplied with water, and that the City may collect the liens filed and to be filed for water pipes in the District, we would say that, with the sum of thirty-five thousand dollars, we can put the works into operation and supply the District with water ; and if such amount should be paid to us by the City, we will ask for no further appropriations until the water is introduced into the mains for supplying the District.

Second—When we can put the works into operation ; we would say, unless the weather should be unusually unfavorable, that the works can be put into operation in about sixty days. We would assure you, that no time will be lost by us, and that no effort on our part shall be wanting to bring the works into early and successful operation.

Respectfully yours,
BIRKINBINE & TROTTER.

—

AGREEMENT *between the District of West Philadelphia and Messrs. Birkinbine & Trotter, for the introduction of Water into the District.*

This agreement made between Henry P. M. Birkinbine and Newbold H. Trotter, co-partners, trading under the firm of Birkinbine & Trotter, of first part, and “The District of

West Philadelphia" of the second part, WITNESSETH: That the said parties of the first part, for, and in consideration of the covenant and agreements hereinafter mentioned, to be kept and performed on the part of the said party of the second part, hereby covenant and agree, that they, the said parties of the first part, will do and furnish as follows:

They will furnish and convey in fee-simple, to the said party of the second part, a lot of ground on the Schuylkill river, at the creek at Blockley and Hutchinson street, one hundred and fifty feet in front on the river, and extending back four hundred and thirty feet, more or less, to Hutchinson street, which they will grade to ten feet above the ordinary level of said river, enclose it with a neat pale fence, at least six feet high, lay it out with gravel walks, sod it, and plant therein such number and kind of trees as the Committee on Water Works of the said District may approve and direct, to ornament the same. The title of said lot to be good and clear of all incumbrances.

In this lot they will construct and furnish all the materials for a reservoir, being in the clear two hundred feet long, seventy-five feet wide, and ten feet deep below the ordinary level of the river, and wall the same with stone of sufficient thickness for its intended purposes. In this reservoir they will construct a partition or weir of stone seven feet high and twenty-five feet from the inner extremity of the basin. They will connect this reservoir with the said river by means of a canal ten feet wide and three feet depth of water in the clear, fitted with strainers and gate to shut out the water when the reservoir is to be cleaned.

They will construct an under-ground sewer five feet in diameter in the clear, from the arch of the bridge down Hutchinson street to Sixth street, and down Sixth or Blockley street to the river.

They will construct and furnish all the materials therefor, an engine house of stone, thirty feet in front, forty feet deep and fourteen feet ceiling, the walls to be at least eighteen inches thick with suitable foundations, cover it with a good slate roof, and surmount it with a cupola. They will pave its floor with brown stone flags. They will light it by eight double windows, and make it properly accessible by a large door in the front.

In the rear of this engine house they will erect and furnish all the materials therefor, a boiler house of stone, the walls thereof to be at least 18 inches thick, the said boiler house to be 27 feet wide, and 25 feet deep; cover it with a good slate roof, upon an iron frame, and surmount it with a ventilator and sky-light. They will make suitable access to the house, by two large double doors on each side, and also, communications with the engine house, by two suitable doors. They will place the stack in the rear of this building, of stone, lined with brick, at least 60 feet high, or beyond that height if necessary for a good draught; and with a flue of suitable and proper dimensions and construction.

They will construct and furnish all the materials therefor, two high-pressure steam engines, cylinders 16 inches bore, and 4 feet 6 inches stroke of piston, fitted with cut-off valves; also, two double acting lift and force pumps, 10 inches bore of cylinder, and 4 feet stroke of piston, fitted with gun metal valves and packing, the pumps to be set in cast iron box bed plates; also, 6 plain cylindrical boilers, each 36 inches in diameter, and 40 feet long, with all the pipes, air vessels, stops and connections, necessary to complete the pumping machinery in the most perfect manner; also, a steam engine, 6 inches bore, and 12 inches stroke, with a 36 inch fan-blower, so arranged as to urge the fires, so that steam may be raised when necessary in a comparatively short time. They will arrange the boilers in two distinct sets, of three each, so that either or both engines and pumps may be worked by either or both sets of boilers.

They will construct and find all the materials therefor, (on a lot to be furnished by the said party of the second part,) an ornamental tower, or stand-pipe, of suitable boiler iron, averaging $\frac{5}{16}$ of an inch in thickness, 5 feet in diameter, and of such height that the water from it would flow to a reservoir on the summit of Landsdowne, if it should be required hereafter to construct one; the said tower to have a suitable, proper and sufficient base of cut stone; the stone to be similar to that in St. James the Less church; the stand-pipe to be painted six coats plumbago paint inside, and thoroughly outside.

They will make in the engine house such arrangements that the engineer can at all times ascertain the height of the water

in the tower ; and an alarm, which will always give notice when the water gets too low ; and also, a counter attachment to each pump, showing the number of strokes of each pump, so that the quantity of water pumped may be measured.

They will furnish, and lay through such streets in the District of West Philadelphia, as the Committee on Water Works of said District may designate, (the said party of the second part, at its own expense, to grade any street that it may be necessary to fill up in grading before laying the pipe, and also to pay, should the said party of the second part not think proper to grade any street that may require to be excavated in said grading, the additional expense of placing the pipes more than three feet below the surface of the street, so as not to retard the progress of the work,) 30,000 feet of iron pipe, all to be laid, the top of the pipe three feet under the surface of the street as graded, or to be graded by Joseph Fox, Surveyor of the District, and each length of pipe to be proved to a pressure of 300 feet, at the expense of the said parties of the first part, and under the inspection of the said Committee on Water Works of said District, as follows:—

| | |
|--------|---------------------------------|
| 5,500 | feet of 12 inch ascending main, |
| 4,500 | “ 10 inch pipe, |
| 2,000 | “ 8 “ |
| 6,000 | “ 6 “ |
| 12,000 | “ 4 “ |

With all the necessary branches and turns ; together with 35 street stops, with boxes, frames and covers, and 100 fire plugs, with cast-iron cases, in such places along the mains as the said Committee on Water Works of said District may designate ; and together with any necessary air valves that may be found to be proper at the summits. The above described stops and fire plugs to be similar to those now used by the City of Philadelphia, and of the kind and character as those supplied and put in by them for the Germantown Water Company.

They also agree, that all the hereinbefore described work, buildings and machinery, shall be of the best workmanship and material, and that they will furnish all the above described works and put them in complete and successful operation, so that the said district may be supplied with water on or before the first day of January, 1854, and also, that they will keep

them in constant operation for six months from the time of completion, at their own expense, keeping the water up in the tower at all hours of the day and night not less than eighty feet in height, and then deliver over to the said party of the second part, their successors or assigns, everything hereinbefore contracted for on the part of the said parties of the first part, in good order and free from all incumbrances. The said parties of the first part hereby warranting each part of the work to be capable of sustaining the severest practice, proof, or test, to which similar work is ever subjected for the purpose of proving its sufficiency. The fire surface to be sufficient to work the engines economically. The works to be able to raise one million gallons of water per twenty-four hours.

And the said party of the second part, for and in consideration of the covenants and agreements hereinbefore mentioned to be kept and performed on the part and behalf of the said parties of the first part, hereby covenants and agrees for itself and its successors, that the said party of the second part, and its successors, shall and will, well and truly, pay to the said parties of the first part, the sum of one hundred and twenty thousand (\$120,000) dollars in coupon bonds of the said District, at par value, bearing six per cent. interest, and payable twenty years after date; one hundred and four thousand dollars of which to be paid as the work progresses in monthly payments, (the work and materials to be estimated by two persons, one to be chosen by each party, and in case of their disagreeing, these two to choose a third, the majority of which three shall then decide,) and the remaining sixteen thousand dollars when the above contract on the part of the parties of the first part shall have been fulfilled and the works delivered to the said party of the second part, or its successors, in good order and free from all incumbrances. It being, however, perfectly understood and agreed, between the two parties that, should the said party of the second part, or its successors, desire to pay all or any part of the above consideration money in cash, that the said party of the second part, and its successors, shall have the right and privilege of doing so, deducting ten per cent. therefor from the said par value of said bonds.

In witness whereof, the said parties of the first part have hereunto set their hands and seals, and the said party of the

second part hath hereunto caused to be affixed its corporate seal, this 15th day of January, A. D. 1853.

(Signed,)

HENRY P. M. BIRKINBINE, [SEAL.]

NEWBOLD H. TROTTER, [SEAL.]

C. M. EAKEN, [SEAL.]

Attested, WM. STOKES, *Clerk.*

Sealed and delivered in presence of,

ELLEN P. EAKIN, CONSTANCE D. EAKIN, as to C. M. EAKIN.

GEO. L. ASHMEAD, THOS. E. ASHMEAD, as to BIRKINBINE & TROTTER.

It is hereby agreed between the Committee on Water Works of the District of West Philadelphia, for and in behalf of said District, of the one part, and Henry P. M. Birkinbine and Newbold H. Trotter, co-partner, under the firm of Birkinbine & Trotter, that the hereunto annexed contract shall be modified and changed as follows:—*First*—The title to the lot of ground mentioned in said hereunto annexed contract, and to be furnished as therein mentioned by said Birkinbine & Trotter, having been found objectionable, the location and dimensions of the same are hereby changed to a lot recently conveyed by Benjamin H. Garnall and others to said Henry P. M. Birkinbine and Newbold H. Trotter, and by them conveyed to the said District, the deeds therefor being now in the hands of the Solicitor of this District. *Second*—The grading of the said lot is to be fifteen feet above the ordinary level of the river, to be done by said Birkinbine & Trotter, instead of ten feet, as mentioned in the hereunto annexed contract. *Third*—Instead of a canal and gate as mentioned in said hereto annexed contract, the said Birkinbine & Trotter are to finish and lay a sixteen inch main iron pipe leading from the river into the reservoir to supply the same, and a stop cock furnished with brass faces. *Fourth*—In consequence of the change in location of said lot, the construction of the sewer as mentioned in said hereto annexed contract is unnecessary, and in lieu thereof, said Birkinbine & Trotter agree to furnish 2,000 additional feet of six inch iron pipe, and lay the same, and to set three additional fire plugs; and they also agree that the 30,000 feet of pipe mentioned in the hereto annexed contract, as well as said 2,000 additional feet, shall be measured as

laid in the ground, without allowance for laps or cut. *Fifth*—In order to make a better appearance, the boiler house, as mentioned in said hereto annexed contract, shall be changed, so that instead of the boiler house being in the rear of the engine house, there shall be two boiler houses, one on each side of the engine house, each fifty feet deep and twelve feet four inches wide. The original house shall be accessible by two large doors in the rear, in lieu of the manner mentioned in said hereto annexed contract, with twelve single windows in place of eight double ones. To each boiler house there shall be two large doors and a ventilator, and two single windows in place of the sky-light, and one door to each boiler house communicating with the engine house. The stack to be in the rear of the engine house.

Witness our hands, this seventh day of March, 1853.

| | | |
|----------------------------------|---|------------------|
| <i>Committee on Water Works,</i> | { | B. R. MILLER, |
| | | C. C. PEIRSON, |
| | | R. BICKNELL, |
| | | J. SIDNEY KEEN, |
| | | ROBT. L. MARTIN. |

HENRY P. M. BIRKINBINE.
NEWBOLD H. TROTTER.

REPORT of the Committee appointed by the Commissioners of the District of West Philadelphia, to consider Plans for erecting Water Works within the District.

At a meeting of the Board of Commissioners of the District of West Philadelphia, held January 3d, 1853, MR. MARTIN read the following Report.

The committee appointed under a resolution of the Board, adopted December 6th, 1852, to consider plans for Water Works, beg leave respectfully to report:—

That their attention has been carefully applied to the subject of a supply of water to the District, by the various means employed for that purpose in populous towns, according to the local facilities afforded for accomplishing the object. These were: First—a supply, from streams, to be gathered in a reservoir, at sufficient elevation, to give the requisite pressure without the use of pumping machinery.

Second—To collect the water of small streams in the vicinity, and to pump the same to a reservoir, or to a stand-pipe of sufficient altitude.

Third—To pump the water from a reservoir fed by the Schuylkill at about its level, into distributing reservoirs, at the necessary height, to give sufficient pressure to all parts of the District; and,

Fourth—To pump the water from a similar reservoir, near the Schuylkill, to a stand-pipe or column, and to distribute the same by the pressure obtained from its height in the column.

The committee were impressed with the desirableness of effecting the purpose, by the first of the two modes suggested; because it would not be liable to the expense of keeping the pumping machinery in operation, and therefore, made a careful examination of the streams in this vicinity; but it was found, that nowhere within a radius of eight miles, can reservoirs of water be made at a natural elevation, which would give a pressure to distribute water, at a sufficient height, to the highest parts of the District.

To obtain such a supply from more distant streams, if indeed practicable, would involve expenses, for property-damage, mill-privileges, and the cost of pipe, entirely beyond the means of the District, and incompatible with any advantages over another mode of supply, entirely within the compass of the District's resources.

To the second, the same objection also applies, as the cost of pumping machinery and the expense of keeping it in operation, would be necessarily required, and the further difficulty was presented, of obtaining a permanent supply of water.

The third plan, suggested by Messrs. Birkinbine & Trotter, embraces many advantages derived from an exceedingly favorable locality in our vicinity, to accomplish the object, in the manner proposed, and which the committee will endeavor briefly to indicate.

Near Belmont Cottage, the Schuylkill makes a bold sweep, forming a cove; whence, from the direction of the current, the water may probably be obtained in the greatest state of purity attainable in that river. It was proposed to form here, an inlet from the river, by which the water should be admitted—through a weir, to catch the floating particles—into a reservoir, properly arranged for a more thorough purification

of the water by the subsidence of its impurities, which, it is believed, under this system, would be completely effected. From near the surface, the water would be raised by two Cornish pumping engines to distributing reservoirs on the Landsdowne estate, near the Monument road, or about the head of the Inclined Plane, at an elevation of two hundred and twenty feet above the river, and thence distributed to the District of West Philadelphia. This location of the reservoirs would give a pressure, deducting thirty feet for friction, of about ninety feet above the highest, and one hundred and eighty-four feet above the lowest part of our District. The great advantages of this plan are, that the works would be adequate to the immediate supply of five millions of gallons per day; or within fifteen per cent. of the entire amount distributed by the Fairmount Works to the consumers of the City, Moyamensing and Southwark, and could be therefore considered of a permanent character, especially, as in the emergency of a larger quantity being required at a future time, additions, to any required extent, in conformity with the general plan, could easily be made. The pumping machinery would be of a very effective character, and economical in operation, whether a large or small quantity of water should be raised.

This plan, contemplated such arrangements of the reservoirs, that the deposit of all noxious qualities, by subsidence, could be safely reckoned upon. And, it is believed, that this mode of purifying water, where the impurities are held merely in mechanical solution, as in the Schuylkill water, would be entirely successful. The height of the distributing reservoirs would give a maximum pressure of one hundred and eighty-four feet, and a minimum, of about ninety feet to the ground elevation of the houses of the District; being greatly superior to the City of Philadelphia reservoirs, whence, the maximum pressure is (allowing twenty-five feet for friction) sixty-seven and seven-twelfths feet, and the minimum, twenty-nine and ten-twelfths; and to those of New York, from which the pressures are (same allowance being made for friction,) eighty for the maximum, and thirty-five minimum. The advantages of a *steady and constant pressure*, such as would be afforded by the altitude of the Landsdowne or Belmont reservoirs, are manifold in character, and all vastly important to the comfort of the people, and to the security and

prosperity of a populous town. One in particular will be noted, namely, that the necessities of fire engines for the extinguishment of fires would be entirely avoided. Works, constructed on this plan, would be greatly superior to any in this vicinity, and could be maintained in operation—the interest on the respective outlays being considered—at much less annual expense. It is, with great reluctance, that the committee, in view of the many advantages of this plan, have to refrain from urging upon the Board its adoption; but the cost, the estimates for which on the plans considered, including a sufficient quantity of pipe for the immediate wants of the inhabitants of the District, cannot be reduced under \$300,000—is entirely beyond a judicious estimate of our resources for this object. It is deemed the duty, however, of the committee, to bring the general features and scope of the plan before the Board, in the belief, that at a future time, it will be found highly advantageous, if not positively necessary, to resort to this means of supplying water to this District.

In view of the highly-favored condition of the greater portion of West Philadelphia, with ample supplies of pure soft water from private pumps, for domestic purposes, to the extent that a supply can be thereby obtained, it may be considered, by some, the wisest policy to defer any action in the matter until the rapidly augmenting resources of the District would be adequate to the erection of works on the third plan proposed in this report; but to this view, it may be replied, that a part of the District—and a part fast increasing in population—is in urgent need of a supply of pure water for their immediate wants; and the exigencies of every portion require that an abundant supply should be furnished at high and constant pressure, for the extinguishment of fires, and for those additional domestic uses which an advanced and progressive standard of requirements makes a necessity of individual health and comfort, and of social and municipal welfare and prosperity. Considered from one point of an economical view, there can be no reasonable doubt that the rapid growth and progress of this District will be vastly increased by such an addition to its many present attractions, and the advantages presented on our widely-extended river front, with its convenient supplies of coal, and ample spaces, and cheap water transportation for heavy manufacturing operations, which are all very great, but for want of water have not been made

hitherto available to the extent they could have been, would, with an ample supply of water, largely aid in the invitation of capital and industry.

In addition to these reasons, the improvement of the District necessarily involves a regular plan of sewerage in conformity with a system of permanent grades adjusted from a common datum, which is now in progress. These, in conjunction with an ample supply of water, are the initiatives of a healthy and permanently prosperous municipal existence, and nowhere, hitherto in this country, have their importance been made more clearly manifest, and the enlightened forecast and practical wisdom of municipal legislation been more happily vindicated, than in the results effected by a careful regard to them, in the City of Philadelphia and in the adjoining incorporated Districts. A comparison of the health reports of these municipalities with cities enjoying naturally superior immunities from disease, show a highly-favored condition of the public health, and the average expectation of life.* As

* The health reports for the year 1852 show that in New York, with a population, according to the census of 1850, of 515,507, there were 21,558 deaths, or one in every 24 persons; whilst in Philadelphia, with a population of 409,000, the deaths were 10,245, or one in every 40 persons. It is commonly alleged in the New York papers, that the greater mortality in New York is to be attributed to the great number of deaths among foreigners arriving there in a destitute condition; but the deaths in New York last year, of persons born in the United States, were 14,871, or one native born in every 35 of the population. Thus, while in New York last year, the mortality of persons born in the United States is ONE IN 35; OF THE WHOLE POPULATION, that of Philadelphia, of NATIVE BORN AND FOREIGN, was only one in 40.

The last was not an exceptional year at all favorable to Philadelphia. The preceding year (1851) the deaths in Philadelphia were short of 9,000, showing an annual mortality of about one in 43. It is worthy of thought, among our good friends in Philadelphia, whether a much more liberal supply of water for the frequent flushing of sewers and cleansing of the streets, is not necessary to keep up her standard of health to the old figure. Indeed, all our American cities require earnest attention to their sanatory condition. A table of mortality of towns in England, taken from the "Health of Towns Report," is hereto annexed, to show the comparison there with Philadelphia, which stands highest of all American cities.

Condensed Statement of the Average Annual Mortality in Towns and Districts in England, taken from the Report of Commissioners of Inquiry.

RURAL DISTRICTS.

19

Mean average of 23 Districts, 1 in 49.

one of the most important of the means conducive to this great good, sewerage, must be taken largely into account. But sewers, without an abundant supply of water to keep them clear of accumulations of filth, do but partially promote cleanliness and consequent healthiness; and, indeed, in some cases, from noxious emanations, create disease.

There is abundant mass of testimony to prove, that the health of populous towns does not depend so much upon the natural advantages of their localities, as it does upon other provisions, which either counteract adverse influences or maintain favorable ones; and it is satisfactorily proved that the neglect of them by municipal authorities, in the infancy and growth of population, have been the chief causes of excessive mortality in towns, where such has unhappily prevailed. In a district like this, so favorably situated for health, and in the abundant enjoyment of that great blessing to an unusual extent, it may seem too far in anticipation to take these considerations into account. But the present is the time for men to act with reference to the future, and the duties of municipal legislation involve in their performance results which extend far beyond mere daily exigencies. Had not this proper estimation of municipal responsibility prevailed in times past, Philadelphia would not now be able to boast the highest triumph of municipal regulation over her sister cities, namely, that of the best condition of the public health. Whether it shall be maintained in the generations to come, must depend upon the fidelity and assiduity with which all

TOWN AND RURAL DISTRICTS.

Mean average of 12 Towns, 1 in 45.

MANUFACTURING DISTRICTS.

Mean average of 22 Towns, 1 in 38, including Manchester, which stands 1 in 30.

TOWN DISTRICTS, INCLUDING LONDON AND LIVERPOOL.

Mean average of 20 Towns, 1 in 40.

MINING DISTRICTS.

Mean average of 9 Districts, 1 in 42-3.

LONDON.

North District, 1 in 43-3.

West District, 1 in 43.

South District, 1 in 39.

East District, 1 in 37.

LIVERPOOL.

1 in 29-7.

improvements affecting her sanatory condition are carried out. This District, as an integral part of Philadelphia, and inevitably destined to be one of the most populous parts, must now determine to enter the career of improvement upon the same enlightened principles of public policy which have governed adjoining municipalities of Philadelphia county.

It will be seen, therefore, that the wants of the District urge a supply of water as indispensably due to a proper regard for the welfare of the District; and the committee, impressed with a sense of its importance, have considered the fourth named mode in this report, which, on a careful examination, seems entirely within the power of the District to establish, and fully adequate to its probable wants for ten years to come.

This plan, which the committee beg leave respectfully to recommend for adoption by the Board, was suggested by Messrs. Birkinbine & Trotter, as an alternative for the third named plan, in the event of that one being considered too costly, and is of the same character as the works constructed by them for Germantown, which are now in successful operation. It proposes the construction of a reservoir on Yarnall's land, some distance above the Fairmount dam, from which the water will be pumped by two high-pressure engines, to a stand-pipe or tower, elevated one hundred and thirty feet above the highest grade of the District, to give the requisite pressure to all parts of the same. A constant supply of Schuylkill water could be thereby distributed at a pressure, when necessary in emergencies, of about 105 feet above the highest, and 205 feet above the lowest part of the District. The average pressure is estimated, for ordinary use, at 75 feet above the highest, and 175 feet above the lowest part of the District. The engines and pumps would be sufficient to raise and distribute 1,000,000 gallons per diem, a quantity sufficient for the daily wants of the District for ten years to come.

The tower is of sufficient elevation to cause the water to flow to the summit of Landsdowne; in view of the expediency, at a future time, of constructing reservoirs there, to provide for a larger supply of water.

If the Board, in the mean time, should decide upon the expediency of purchasing land for reservoirs on Landsdowne, the advantages of the third named mode could be enjoyed to a very great extent, with the power, at a future time, of being enabled fully to realize them.

The column it is proposed to erect of thick boiler plates on a stone base—after an ornamental design submitted to the committee. The main feature of the ornamental column will be a cast iron spiral staircase from the base to the summit, supported by cast iron columns, and terminating in a platform surmounted by an iron railing.

From its summit, at an elevation of two hundred and thirty feet above the level of tide, an unequalled view of the surrounding country could be afforded to visitors, and it is believed that it would be an object of very considerable attraction.

The cost of these works would be very small, compared with that of water works, in adjoining corporations and other places; but it must not be supposed, therefore, that they would be inefficient.

We shall be able to derive from them nearly all the advantages, for the period mentioned, that would be afforded by the Landsdowne works. The quantity of water will be quite sufficient, and at such pressure as will give our residences and other buildings more effective supplies than can be obtained in any of the adjoining districts.

During the period for which their sufficiency is contemplated, the profit to the District will be far more than any conceivable depreciation that might ensue in their value, if the progress of the District should make it necessary to resort to the Landsdowne plan. The only loss from such depreciation would be from a sale of the engines and pumps, which could not, on any reasonable calculation, be more than seven thousand dollars, say one-half their present estimated cost. The enhanced value of the real estate would probably more than compensate for this depreciation. It must be remarked, however, that this is taking the most unfavorable view of the course of the enterprise. For, it may not be necessary to dispense with the use of these engines and pumps, as it is proposed to make them with sufficient power, and to give the tower the requisite height, to supply reservoirs on the top of Landsdowne. When a larger supply of water should be required, it could then be determined whether to employ these engines as auxiliaries to others, or to disuse them entirely.

The committee will state, however, that the supply of these reservoirs from the engines now proposed, would not be the most economical one, but would answer for temporary use for that purpose. When the exigencies of the District require a larger

supply of water than these works can furnish, there can be no doubt that its resources will be fully adequate to the most economical mode of supplying them; and that its ability to accomplish this object will be vastly promoted by the erection of the proposed works, in advancing the growth of the District, and largely augmenting the value of property here, is the conviction of the committee, enforced on their minds by the experience of other communities. These works, it is proposed by the projectors, to complete in time to distribute water from them on the 1st day of January, 1854, if the Board should make a contract for them without delay. They also propose to keep the Works in operation, giving a full supply of water to the District at their own expense for six months after their completion.

The site selected is, in the judgment of the committee, an exceedingly favorable one, and is, probably, the only lot on the river that presents equal advantages for the immediate purpose for which we want it, in conformity with the plan recommended. A bend in the river at that place, makes a current always along the western shore, preventing the stagnation of the water. The reservoir, into which the water would be admitted, it is proposed to arrange in such a manner as to allow its impurities to subside. The water being thus admitted in a fresh current, and further purified, and then pumped from near its surface to the distributing column, would be furnished to the District in a much better condition than that in which it is supplied to the City of Philadelphia.

A plan, with specifications for the works, and proposals to furnish the real estate for reservoir and column, and to construct the works, and when in complete and successful operation for six months, to transfer them to the District, [see accompanying paper marked A,] have been submitted by Messrs. Birkinbine & Trotter, for the sum of one hundred and sixteen thousand dollars, in six per cent. bonds of the District, or one hundred and four thousand five hundred dollars in cash.

A plan and specifications, with proposals, [marked B,] have been submitted by Mr. J. K. Smyth, for the sum of eighty-six thousand four hundred dollars in cash. The proposals of Mr. Smyth do not include the real estate, and other items of expenditure embraced in Messrs. Birkinbine & Trotter's proposals, which would be necessary to include, in order to place the works in a complete and satisfactory condition. These

items are shown in the accompanying statement C. Taking these into account, the actual difference in the two estimates is about seventeen hundred and fifty dollars. There is a difference, it must be observed, however, in the specifications of the machinery, and in other works proposed by these two parties.

Messrs. Birkinbine and Trotter offer to furnish larger and more powerful engines, and two additional boilers, each forty feet long, and thirty-six inches diameter, and a more expensive and much superior quality of valving to the pumps, [see statement C, before referred to,] all of which your committee deem necessary, to make the works entirely efficient and satisfactory.

The additional value to the District of the engines, pumps, &c., proposed by B. & T., and the cost of grading the grounds around the reservoir, and putting them in suitable order, would much more than compensate the District for the small additional outlay required by the acceptance of their proposals. They also absolve the District from any risk of enhanced cost, by the intervention of unforeseen difficulties, or the chances of adverse contingencies in the prosecution of the work to completion. They propose delivering them with real estate, and all pertaining to them, in a complete condition, for the sum named.

Your committee are impressed with the importance of constructing the works, in view of a judicious economy, but with an enlightened regard to what they consider an indispensable requisite of such economy, namely, thoroughness of construction, and an efficient adaptation to the wants of the District. It is scarcely necessary to remind your Board that true economy and practical cheapness, in a matter so important as this, is not to be measured simply by the lowest named price, but by the lowest attainable price consistent with due efficiency and the proper character of the work. The committee recommend the Board to accept the proposals of Birkinbine & Trotter, as the lowest offered, taking into account the work proposed by them; and in doing so, beg leave to say that they have given proper consideration to the value of their scientific and practical knowledge, and mechanical skill shown in the construction of the Germantown, and in the enlargement and construction of the York and Easton Water Works, all of which are in successful operation; and also in testimonials from a number of parties, for whom they have supplied engines and pumping machinery of a superior character. The committee have been

greatly aided by Mr. Birkinbine's personal activity in giving them requisite information, which his knowledge and experience, and a laborious investigation of the localities in this vicinity, eminently qualified him to do.

The committee deem it proper to state that Mr. Smyth offered another proposition, namely, to superintend the construction of the works, the District furnishing every thing requisite to the prosecution and completion of the same, for the sum of five thousand dollars. Mr. Birkinbine made a similar offer, and also to undertake them for a given per centage on the cost. The committee do not deem it the interest of the District to undertake the work in this manner.

A further proposition of Messrs. Birkinbine & Trotter, needs to be named, and requires some comment from the committee. This is, to erect the works for the sum named in their proposals, according to the specifications therein contained, and to lease from the District for ten years, paying interest on the cost, and agreeing at all times to keep a constant supply of water to the District. Your committee refer to this proposition as an evidence of the confidence of these gentlemen in the productiveness of the works, but cannot recommend acceptance of the offer. Eminent considerations of public policy, and proper regard to the welfare of the community, demand that the important matter of a supply of water should not be subjected to the influences that may sway the policy of a commercial operation. It is a matter which concerns the whole community, and reason and experience concur in teaching that those who have it in charge ought to be liable to the jealous scrutiny of the people interested, and held to that strict responsibility which the public welfare imposes upon all with whom are entrusted the administration of public duties. Concerning as it does so nearly the public, it is alike right and expedient that the public should exercise control over its management.

The committee now beg leave to present to the Board some data upon which estimates may be predicated of the probable income and expenditures of the proposed works. By a count made in reference to this object, it appears that there were in the District, in October last, nine hundred and fifty-three houses, classed as follows, viz: private residences, 824; stores, 58; hotels, 17; factories, 10; churches, 10; sundry purposes, 34. There were in course of erection 184, an ag-

gregate increase of $19\frac{3}{4}$ per cent. ; or, calculating the proportion of dwelling houses in course of erection, upon the number of dwellings at that time, an increase of over 21 per cent. in that class of buildings. At this rate of increase, there would be, at the time the works would be transferred to the District, about 1500 houses, and in ten years from that time, over 8000 houses.

A detailed estimate for the consumption of water the committee are prepared to show, but deem it necessary, for the purposes of this report, to state that the probable income from the work, allowing a reasonable amount to be made up by taxation for the supply of the District for public purposes,* would be something over \$10,000 annually for the two years after the works are delivered to the District. After the first two years, we have reason to look for a large augmentation of this income. The working expenses for the first five years will not probably average more than \$6000 per year. The entire cost of the works would be, including pipe, at the present market rate of our bonds, about \$105,000 ; but the proportion of this sum which would be paid back by property owners, in front of whose property the pipe would be laid, in conformity with the usages of other Districts, would be about or over one-half ; reducing the entire outlay, upon which the District would be required to pay interest, to not more than \$60,000. The interest on this amount, and the annual working expenses would, it will be perceived, not quite equal the probable annual income. The prospect, therefore, guided by these estimates, is, that the works can be placed in immediate operation without entailing any additional tax on the District, except only for such a sum as would be necessary to meet a very reasonable charge for the public supplies required as a protection against fires. After the first year even this small tax could be dispensed with ; and it would be for the consideration of the Board, at the proper time, to determine upon the necessity of levying it at all, especially as in a very short time a reasonable estimate of the income and expenditure warrants the belief that the works will be a steadily increasing source of public revenue. It is proper to remark, that in the reckoning of income for the first two years, the public buildings belonging to the Pennsylvania Hospital, the Almshouse,

* About eight hundred dollars annually.

Railroad, and Orphans' Asylum, have been looked to in the expectation of their supplies of water being taken from the West Philadelphia works. It is so manifestly the interest of these institutions, in view of economy, health and comfort, and needful protection in case of fire, to take ample supplies from the District works, that arrangements to that effect could not reasonably long be delayed.

The committee respectfully submit the above and the following resolution :

Resolved, That the proposals of Messrs. Birkinbine & Trotter, for the erection of Water Works, in conformity with the plan and specifications A, herewith submitted, be accepted, and a contract be entered into with them for the same.

B. R. MILLER,
C. C. PEIRSON,
R. BICKNELL,
J. SIDNEY KEEN,
ROBERT L. MARTIN.

It has been deemed unnecessary to print the proposals marked A and B, referred to in the foregoing. The subjoined statement, referred to as statement C, will exhibit the variation of the propositions of Birkinbine & Trotter, and Mr. Smyth.

STATEMENT C.

| | |
|---|-----------------|
| Birkinbine & Trotter's proposition for the works, payable in six per cent. bonds of the District, was | \$116,000 |
| If paid for in cash, a discount of ten per cent. to be allowed, | 11,600 |
| Nett cash amount of their proposals, | 104,400 |
| J. K. Smyth's offer for the works, for cash, | 86,400 |
| Difference in amount of the two propositions, in the works, according to their respective speci- fications, | <u>\$18,000</u> |

Statement of work included in Birkinbine & Trotter's proposition, and not included in Mr. Smyth's:—

A lot on the Schuylkill for reservoir, 150 feet by 430 ; cost of said lot, cash, - - - - \$8,000

A lot for the stand-pipe, of the value of \$1,250, if the stand-pipe should be like that at Germantown ; but if made according to the ornamental design exhibited to the committee, the District to find the lot. The additional cost of the ornamental work, according to the design, will be \$2,000 ; in estimating this item, by strict calculation, the cost ought to be set down, but the committee, in making a comparison of the two propositions, merely estimated the value of the ground offered by B. & T., say, - - - - 1,250

(It will be observed that B. & T., in this particular of their proposition, in effect, offer to contribute \$750 to the ornamental work of the tower.)

To fill up the entire lot selected for the reservoir to six feet above the level of the river, grading, sodding, laying out gravel walks, and planting trees ; all of which work is estimated at 2,000

To construct a sewer, five feet in diameter, from the bridge, in Hutchinson street to Sixth street and down Sixth street to the river, in length about 1,000 feet. If a selection of ground should be made whereby the sewer would be avoided, this amount is to be deducted from their proposition, - - - - 5,000

By the acceptance of Mr. Smyth's proposition *all* of the above work would have to be done at the expense of the District, amounting to - 16,250

To which must be added the amount obtained by a *comparison* of the value of the machinery proposed by the two parties.

The engines proposed by B. & T., are two high pressures, each 16 inch cylinder, 4½ feet stroke. The engines proposed by J. K. Smyth, are two high pressures, 15 inch cylinder, 4 feet stroke.

Amount carried forward, - - - \$16,250

| | | |
|--|-------|----------------|
| Amount brought forward, | - - - | \$16,250 |
| Difference of value in favor of B. & T.'s engines, the additional size being equal to 10 horse power in each, say \$1000 each, | - - - | 2,000 |
| The pumps proposed by B. & T. are to be fitted with gun metal valves and packing. The pumps proposed by J. K. Smyth were for leather valves. Difference in valving and packing, \$500 each pump, | | 1,000 |
| B. & T. propose <i>six</i> boilers, 40 feet long by 36 inches diameter, weight 6,256 pounds each, cost 8 cents per pound, say \$500 each. J. K. Smyth pro- poses <i>four</i> boilers, 40 feet long by 36 inches diameter, weight 6,256 pounds each, cost 8 cents per pound, say \$500 each. | | |
| Difference in value of two boilers in favor of B. & T. | - - - | 1,000 |
| B. & T. offer to place their pumps on cast iron bed plates, of which Mr. Smyth says nothing. This would make a difference of | - - - | 1,000 |
| Making a total, in additional work and value of B. & T.'s work over that proposed by Mr. Smyth, of | | \$21,250 |
| To which ought to be added the difference between the cost of the lot of ground for the stand-pipe, and the value of the ornamental work on the tower, which is so much additional value given to the District, | - - - | 750 |
| | | <hr/> \$22,000 |
| From this sum deduct the difference, as above, be- tween the cash estimates, say | - - - | 18,000 |
| Balance in favor of the District, gained by the acceptance of B. & T.'s proposals, | - - - | <hr/> \$4,000 |

At a meeting of the Board of Commissioners of the District of West Philadelphia, held May 22, 1854, Mr. C. C. Peirson presented the following Report of the Committee on Water Works :

The Committee on Water Works, to whom was referred the communication of Messrs. Birkinbine & Trotter, asking an appraisement of the work done and materials furnished in the construction of the West Philadelphia Water Works, and also a resolution of this Board as to the distribution of water pipe throughout the District, beg leave to report :

That in pursuance of the instructions of this Board, they have appointed James Miller as appraiser on the part of the District, and that the contractors appointed John Rice.

That the appraisers have carefully viewed and examined the work done and materials furnished by the contractors, and have inspected the accounts of the latter, and have made a report of the result of their labors, which is herewith submitted. Your committee would remark that this examination by the appraisers has been very thorough, and they believe it to be entirely reliable. They have prepared the accompanying statement, showing the various payments, in bonds and cash, on account of the Water Works, and of the allowance held back as security for the completion of the contract under the original agreement. By this statement it appears that there is due the contractors the sum of *eight thousand and sixty-one dollars and ninety-four cents*, for the payment of which the action of the Board is necessary.

There is one matter connected with the appraisement to which the committee invite the attention of the Board. By the terms of the contract, in the event of a disagreement between the contractors and the District as to the several estimates, "the work and materials were to be estimated by two persons, one to be chosen by each party, and in case of their disagreeing, these two to choose a third, the majority of which three shall then decide." A doubt has arisen as to the authority of the parties so appointed, whether they are to be regarded merely as appraisers, or as arbitrators, having the authority to settle all matters of disagreement. The contractors appear to

regard them as arbitrators, and your committee have been under the impression that they were so viewed by the Board ; but the language of the contract, as above quoted, is not entirely clear. It is desirable that they should be treated as arbitrators, having power to decide, settle, and adjust all the matters between the parties ; and the committee would recommend that the agreement be so modified as to leave no doubt on so important a point.

As to the distribution of the water pipe, your committee report, that when they entered upon their duties in April, 1853, they found the pipe contracted for under the first agreement already distributed ; and, on inquiring of the contractors, they learn that both as regard route and size of pipe, they acted under instructions and *written directions* of the former Committee on Water Works. A portion of the pipe was actually laid, and the balance on the surface of the ground. †

Your committee refer to the Act of Assembly, on the introduction of water, passed May 1, 1852, which, in plain words, confers upon the Commissioners of the District “ *full power and authority to lay iron pipes, &c., in any street, road, lane, or alley within said District, and making the real estate fronting thereon liable in proportion to its front.*”

Under this Act of Assembly the contracts in question have been made. On the 26th day of February, A. D. 1853, an ordinance was passed recognizing the contract, and creating a loan for its fulfilment ; and on the 16th day of March, A. D. 1853, another ordinance was passed still further ratifying said contract, and providing that “ *all modifications and changes made and to be made in said contract or contracts are and shall be valid, and are and shall be approved, adopted, authorized, ratified, and confirmed,*” &c. And further, “ *that the Committee on Water Works of said District, or a majority of them, are hereby fully authorized and empowered, on behalf of said District, to make all further contracts for the introduction of water into said district, and for all other matters and things connected therewith, and also to make such modifications and changes in the contract then made, and referred to in section 1 of said ordinance, or hereafter to be made, as to the said committee or a majority of them shall seem proper.*”

Under the authority of said Act of Assembly, and of the ordinances which are above recited in their *exact words*, the committee of the former Board directed the contractors to lay

said water pipe in certain streets; and the present committee have made no changes in said directions, except to countermand the laying of pipe on Chestnut street, between Margarett street and the Darby road, and to enlarge the calibre of the pipe in some cases, which they did by the authority of this Board, and because of their manifest insufficiency to yield a full supply of water.

Your committee further remark that, on the first day of August, 1853, they reported to this Board, "that they had authorized the contractor to lay a 12 inch main *to* Washington street instead of a 10 inch, which was originally intended, and to place a 10 inch main *along* Washington street, and also an 8 inch main along Lancaster turnpike, from Sixth street to Darby road;" and they recommended to increase the amount of pipe, in order to complete the circuits. This report was signed by *every* member of the committee, and was duly accepted; and, at the next meeting of the Board, the committee were authorized "to increase the average calibre of the water pipes, so as to ensure a full supply of water at all times, and to extend the pipes so as *to afford an equal distribution of the water throughout the District.*"

In pursuance of this authority, your committee, guided by the opinions of the surveyor and the contractors, directed such additional pipe to be laid as would ensure full circuits, and would give every part of the District a full supply of water.

Frequent applications were made by property holders for this purpose; and it is very evident that all participating in the burden of taxation have an equal right to the benefit of the water.

C. C. PEIRSON,
J. H. MARKLAND,
J. F. KNORR,
JOHN WILLIAMSON.

STATEMENT.

Amount as awarded by appraisers, - \$185,000 00

Amounts paid by District, viz :

| | | | |
|-----------------------------------|--------|--------------|------------|
| Feb. 25, 1853, | Bonds, | \$11,000 | |
| May 10, " | Cash, | \$13,342 60 | |
| June 7, " | " | 9,548 13 | |
| July 12, " | " | 9,190 81 | |
| Aug. 10, " | " | 10,178 37 | |
| Sept. 12, " | " | 10,262 39 | |
| Oct. 5, " | " | 10,000 00 | |
| Nov. 16, " | Order, | 17,411 78 | |
| Dec. 6, " | " | 18,264 25 | |
| Jan. 3, 1854, | " | 13,054 08 | |
| Feb. 7, " | Cash, | 13,054 08 | |
| Feb. 7, " | " | 10,558 68 | |
| Mar. 7, " | " | 1,291 76 | |
| April 11, " | " | 6,574 85 | |
| April 20, " | " | 1,258 91 | |
| May 2, " | " | 5,917 37 | |
| | | <hr/> | |
| | | \$149,908 06 | |
| Bonds, | - | 11,000 00 | |
| Allowance, | - | 16,000 00 | |
| | | <hr/> | |
| | | \$176,908 06 | |
| | | <hr/> | |
| | | | 176,908 06 |
| | | | <hr/> |
| Balance due Birkinbine & Trotter, | | | \$8,091 94 |

The subscribers, appraisers appointed by the District of West Philadelphia and Birkinbine & Trotter respectively, having examined the accounts of the latter, and the work done and materials furnished for the West Philadelphia Water Works, inclusive of the pipe laid and delivered, to the first day of May, instant, have estimated the same at the sum of one hundred and eighty-five thousand dollars; and that the said contractors are entitled to an order in their favor for such balance as may remain, after deducting from said amount the payments in bonds and in cash, and such allowance in the nature of security, as is provided by the contract.

May 15th, 1854.

JOHN RICE,
JAMES MILLER.

*Payments altogether, including an additional sum paid
June 1, 1854.*

| | | | | | |
|---------------------------|---|---|---|---|--------------|
| As per above, | - | - | - | - | 149,908 06 |
| Bonds, as per above, | - | - | - | - | 11,000 00 |
| June 1, 1854, additional, | - | - | - | - | 18,000 00 |
| | | | | | \$178,908 06 |

MEMORANDUM OF AGREEMENT *between Henry P. M. Birkinbine and Newbold H. Trotter, trading under the firm of Birkinbine & Trotter, of the first part, and the District of West Philadelphia of the second part, supplementary to an agreement between said parties dated the 15th day of January, A. D. 1853.*

The said parties of the first part agree to construct and erect for the party of the second part, in the place of the two steam engines and pumps already contracted for, two Cornish pumping engines, with steam cylinders, each fifty inch bore and eight feet stroke, surrounded by steam jacket, enclosed in a walnut casing, secured by metallic bands; also, two pumps, each seventeen inch bore and eight feet stroke, placed immediately under the steam cylinder, and fitted with double beat metallic valves; and the necessary condensing apparatus, air pumps, feed pumps, and all the appurtenances necessary to make pumping machinery complete; also, four Cornish boilers, each six feet diameter and thirty-two feet long, with an internal flue four feet in diameter, all the grate bars, fire doors, dampers, steam pipes, stop valves, &c., necessary to complete and put in successful operation the above described engines and pumps; and the said parties of the first part agree to keep the same in constant operation for the space of twelve months from the time of completion, at their own expense, instead of six months, as provided in original agreement; and to guarantee a duty of forty millions of pounds of water raised one foot high, by one hundred weight of coal, and the parties of the second part agree to pay therefor the sum of twenty-five thousand dollars, in addition to the sum stipulated in said original agreement, as follows, viz:

ten thousand dollars on the closing of this contract, eight thousand dollars when the parties of the first part commence putting up the engines, and the remaining seven thousand dollars when they are put up, and in complete and successful operation.

And it is further agreed, that the necessary alterations in the building and foundations shall be at the expense of the party of the second part, the cost of the same to be ascertained as hereinafter mentioned.

And the said parties of the first part, agree to furnish and lay for the party of the second part, in such streets of the District as may be designated by the latter, additional water pipe, of such sizes as may be needed, for the following prices, the pipe to be measured in ground as laid, and without any extra allowances for braces, turns, &c., viz :—Sixteen inch pipe at four dollars per foot ; twelve inch pipe at two dollars and a half per foot ; ten inch pipe at two dollars and ten cents a foot ; eight inch pipe at one dollar and seventy-five cents a foot ; and six inch pipe at one dollar and twenty-five cents a foot ; the top of the pipe to be at least three feet from the surface of the street, as graded or to be graded by the Surveyor of the District, and each pipe subject to the same test of pressure as provided in the original agreement ; and further to supply and put up additional fire plugs, as already agreed upon, with the necessary pipe, for the sum of fifty dollars each.

And the parties of the first part further agree to excavate the reservoir to the additional depth of six feet, and to shorten the same forty feet on the east end thereof, so that Sixth street may be extended between the same and the river, without the necessity of crossing the reservoir by a bridge ; all the extra excavations and masonry to be charged to the District at cost, said cost to be ascertained by accounts kept of the actual expenses of the same, or by measurement, allowing the parties of the first part fifteen per cent. profit on same ; and the amount of extra work to be computed after an allowance to the party of the second part for all excavations, masonry, &c., required to be done by the terms of the original contract, but rendered unnecessary by said alterations.

COPY of sections of an Act of Assembly made applicable to West Philadelphia by Act of May 1, 1852.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Commissioners of the District of Richmond shall have full power to contract with any person or persons, body or bodies corporate, for the introduction of water into the said District, and all contracts and agreements relating to the same at any time heretofore made between the said Commissioners and any other person or persons, body or bodies corporate, shall be as valid and binding as if the same were made after the passage of this act.

SECTION 2. That the said Commissioners shall have full power and authority to lay iron pipes, and introduce the Delaware river or other wholesome water in any street, road, lane or alley within said District, and the real estate fronting on any such street, road, or alley, shall be taxed and liable in proportion to its extent in front, for all the expenses that may be incurred in laying the said pipes and introducing the said water, and also shall be subject thereafter to all such taxes and assessments that may be laid from time to time, for keeping up the necessary supply of water, and the expenses attendant thereon: *Provided*, that all expenses incurred in laying the pipes along the intersection of any street, road, lane or alley, and erecting the necessary number of fire plugs, and for the repair thereof shall be provided for and paid in such manner as shall be prescribed by said Board of Commissioners.

*Commissioners of the District of West Philadelphia to
Birkinbine & Trotter.*

1853.

Dec. 31. To extra work on reservoir, &c., digging and taking up the 16 inch inlet pipe, at reservoir, and putting in the 20 inch.

| | | | | |
|---------|--------|--------------------|--------------------|---------------------------|
| Oct. 4, | 5 men, | 1 day each—5 days, | \$1.00, | \$5 00 |
| “ 5, | 5 “ | 1 “ | 5 “ | 1.00, 5 00 |
| “ 6, | 5 “ | 1 “ | 5 “ | 1.00, 5 00 |
| “ 31, | 5 “ | 1 “ | 5 “ | 1.00, 5 00 |
| Nov. 1, | 7 “ | 1 “ | 7 “ | 1.33 $\frac{1}{3}$, 9 33 |
| “ 2, | 7 “ | 1 “ | 7 “ | 1.33 $\frac{1}{3}$, 9 33 |
| “ 3, | 5 “ | 1 “ | 5 “ | 1.00, 5 00 |
| “ 4, | 5 “ | 1 “ | 5 “ | 1.00, 5 00 |
| “ 5, | 5 “ | 1 “ | 5 “ | 1.00, 5 00 |
| “ 7, | 5 “ | 1 “ | 5 “ | 1.00, 5 00 |
| “ 8, | 5 “ | 1 “ | 5 “ | 1.33 $\frac{1}{3}$, 6 66 |
| “ 8, | 1 “ | $\frac{1}{2}$ “ | $\frac{1}{2}$ “ | 1.33 $\frac{1}{3}$, 67 |
| “ 9, | 6 “ | $\frac{8}{10}$ “ | 4 $\frac{8}{10}$ “ | 1.33 $\frac{1}{3}$, 6 39 |
| “ 9, | 35 “ | $\frac{4}{10}$ “ | 14 “ | 1.00, 14 00 |

 \$86 38

4 20 inch bell nozzle pipes, 2,854 lbs.
at 4 cents, - - - - - 114 16

9 length 20 inch pipe, 81 feet,
\$3.75, - - - - - \$303 75

Porterage on same, - - - - - 11 25

 315 00

3 20 inch stops, \$185, - - - - - 555 00

Lead and gasket for inlet pipe, - - - - - 25 00

Building stone wall around 10 inch stop:—

Nov. 10. 1 day mason, - - - - - \$1 75

1 “ “ - - - - - 1 62

6 “ laborers, - - - - - 6 00

Nov. 11. 1 “ mason, - - - - - 1 75

1 “ “ - - - - - 1 62

11 “ laborers, - - - - - 11 00

 23 74

Amount carried forward, - - - - - \$1,119 28

| | | | | |
|----------|---|---|---|------------|
| 1854. | Amount brought forward, | - | - | \$1,119 28 |
| Nov. 12. | $\frac{6}{10}$ day mason, \$1.75, | - | - | \$1 05 |
| | $\frac{6}{10}$ " " 1.62 $\frac{1}{2}$, | - | - | 1 00 |
| | 5 $\frac{4}{10}$ " laborers, | - | - | 5 40 |
| | 37 perch stone, 53 cts., | - | - | 19 61 |
| | | | | <hr/> |
| | | | | 27 06 |
| | Building wall on east end of reservoir:— | | | |
| Nov. 14. | 127 $\frac{1}{2}$ perch dry wall, \$1.30, | | | 165 75 |
| | 479 " mortar wall, 1.60, | | | 766 40 |
| | | | | <hr/> |
| | | | | 932 15 |
| | Building buttresses on east wall:— | | | |
| | 14 days, at \$2.00, | - | - | 28 00 |
| | 14 " at 1.75, | - | - | 24 50 |
| | 58 " at 1.62 $\frac{1}{2}$, | - | - | 93 96 |
| | 165 bushels lime, at 20 cts., | - | - | 33 00 |
| | 162 $\frac{1}{2}$ perch stone, at 75 cts., | - | - | 121 87 |
| | | | | <hr/> |
| | | | | 301 33 |
| | Building wall on south side of reservoir:— | | | |
| | 190 days' mason work, at \$1.70, | | | 323 00 |
| | 480 perch stone, at 75 cts., | - | - | 360 00 |
| | | | | <hr/> |
| | | | | 683 00 |
| | To raising 28 feet additional on chimney of engine house, | - | - | 220 00 |
| | Stone and sand for same, | - | - | 14 84 |
| | | | | <hr/> |
| | | | | 234 84 |
| | 195 barrels cement, | - | - | 398 11 |
| | 110 kegs, and powder and fuse, | - | - | 340 77 |
| | Wages deepening reservoir, viz:— | | | |
| | For week ending July 29th, 1853, | - | - | 272 77 |
| | " " Aug. 5th, " | - | - | 342 90 |
| | " " " 12th, " | - | - | 368 95 |
| | " " " 19th, " | - | - | 246 42 |
| | " " " 26th, " | - | - | 324 99 |
| | " " Sept. 2d, " | - | - | 330 48 |
| | " " " 9th, " | - | - | 361 78 |
| | " " " 16th, " | - | - | 354 40 |
| | " " " 23d, " | - | - | 388 96 |
| | " " " 30th, " | - | - | 463 57 |
| | | | | <hr/> |
| | Amount carried forward, | - | - | \$7,491 76 |

| | | | |
|---|---|----------|-------------|
| Amount brought forward, | - | - | \$7,491 76 |
| For week ending Oct. 7th, 1853, | - | \$423 87 | |
| Less wages for pipes, | - | - | 400 00 |
| | | | <hr/> |
| | | | 23 87 |
| For week ending Oct. 14th, 1853, | - | - | 403 53 |
| “ “ “ 21st, “ | - | - | 351 17 |
| “ “ “ 28th, “ | - | - | 253 47 |
| “ “ Nov. 4th, “ | - | - | 449 72 |
| “ “ “ 11th, “ | - | - | 421 26 |
| “ “ “ 18th, “ | - | - | 383 89 |
| “ “ “ 25th, “ | - | - | 277 10 |
| “ “ Dec. 2d, “ | - | - | 321 78 |
| “ “ “ 9th, “ | - | - | 331 50 |
| “ “ “ 16th, “ | - | - | 378 91 |
| “ “ “ 23d, “ | - | - | 295 84 |
| Dressing tools, picks, drill, &c., | - | - | 274 62 |
| Sundry labor, | - | - | 10 25 |
| Hauling stone for E. foundations, | - | - | 64 69 |
| “ “ “ “ | - | - | 3 00 |
| 10 binding plates, 2,905 lbs., at 3½ cents, | - | - | 101 67 |
| Lumber, | - | - | 61 66 |
| Lead, | - | - | 5 20 |
| Sundry weekly cash extra, for coal, coke, &c., | - | - | 214 28 |
| 771 hours' mason work, building foundations for Cornish engines, at \$1.66, | - | - | \$1,279 86 |
| 776 perch stone in same, at \$1.00, | - | - | 776 00 |
| | | | <hr/> |
| | | | 2,055 86 |
| 11,900 hard bricks, for foundation, | - | - | 83 30 |
| 2 kegs powder and fuse, | - | - | 7 37 |
| 600 feet 3d common boards, (scaffolding,) at 1¾ cts., | - | - | 10 50 |
| 1512 feet hemlock scantling, (scaffolding,) | - | - | 18 90 |
| | | | <hr/> |
| | | | 29 40 |
| Coal, and for engine's pumps, | - | - | 12 75 |
| Wages, week ending Dec. 30th, 1853, | - | - | 171 50 |
| 35 barrels cement, at \$2.25, | - | - | 78 75 |
| 34 “ “ 2.12½, | - | - | 72 25 |
| | | | <hr/> |
| | | | 151 00 |
| | | | <hr/> |
| Amount carried forward, | - | - | \$14,630 35 |

| | | | | | |
|--|---|---|---|-----------------|----|
| Amount brought forward, | - | - | - | \$14,630 | 35 |
| To lumber from Keen, | - | - | - | 24 | 94 |
| “ “ Gheen, | - | - | - | 103 | 14 |
| | | | | <u>14,758</u> | 43 |
| Add 15 per cent., | - | - | - | 2,213 | 70 |
| To use of pumping engine, from July 22d, 1853, | | | | | |
| to date, viz: 140 days, at \$3.00, | - | - | - | 420 | 00 |
| To use of steam hoisting apparatus, from Sept. | | | | | |
| 7th, 1853, to date, 100 days, at \$5.00, | - | - | - | 500 | 00 |
| | | | | <u>\$17,892</u> | 13 |

CR.

| | | | | | |
|---|---|---|---|-----------------|----|
| By wall, as per contract, in east end of reservoir, 63½ perch dry wall, \$1.30, | - | - | - | \$82 | 55 |
| 24 perch mortar wall, at \$1.60, | - | - | - | 38 | 40 |
| | | | | <u>120</u> | 95 |
| By wall, as per contract, on south side, 264 perch at \$1.50, | - | - | - | \$396 | 00 |
| Less 93 perch, taken down to deepen reservoir, at \$1.50, | - | - | - | 139 | 50 |
| | | | | <u>256</u> | 50 |
| | | | | 377 | 45 |
| Add 15 per cent., | - | - | - | 56 | 55 |
| | | | | <u>434</u> | 00 |
| By amount of labor necessary to finish reservoir, as per contract, | - | - | - | 250 | 00 |
| | | | | <u>684</u> | 00 |
| | | | | <u>\$17,208</u> | 13 |

*Commissioners of the District of West Philadelphia, to
Birkinbine & Trotter.*

1853, Dec. 31.

| | | | |
|----------|--|--------|----------|
| Aug. 8. | To iron, to strengthen arch wall, 124 lbs., at 6 cts., | \$7 44 | |
| | Work on same, - - - | 2 00 | |
| | | | \$9 44 |
| Oct. 14. | 1 wrought-iron outlet pipe, 17½ inches diameter and 18 feet long, 289 lbs., at 12½ cts., - - - - | | 36 12 |
| Nov. 14. | 141 perch stone, necessary to raise foun- dation 10 feet higher, at \$1.75, - | | 246 75 |
| “ “ | To one-fourth of Wm. Hugg's bill, (of \$373.75,) for raising the tower 10 feet above ground, - - - - | | 93 44 |
| “ “ | Pattern for outlet pipe, S, - | 25 00 | |
| | “ 16 inch circular pipe, 18 | 50 | |
| | | | 43 50 |
| “ “ | 1 16 inch S pipe, 1351 lbs., at 3½ cts., | | 47 28 |
| | | | 476 53 |
| | Add 15 per cent., - - - | | 71 48 |
| | | | \$548 01 |

H.

*Commissioners of the District of West Philadelphia, to
Birkinbine & Trotter.*

1853, Dec. 31.

| | | | |
|-------|--|-------------|--|
| | 632 feet 12 inch pipe, laid in Lancaster pike. | | |
| 2,050 | “ 12 “ “ Bridge street. | | |
| 2,634 | “ 12 “ “ Sixth street. | | |
| 1,120 | “ 12 “ “ Washington st. | | |
| 3,215 | “ 12 “ “ Till street. | | |
| 113 | “ 12 “ “ Haverford st. | | |
| | | | |
| 9,764 | feet 12 inch pipe, at \$2.50, - - | \$24,410 00 | |
| | Amount carried forward, - - | \$24,410 00 | |

| | | | | |
|-------------------------|---|---|---|-------------|
| | Amount brought forward, | - | - | \$24,410 00 |
| 5,920 | feet 10 inch pipe, laid in Washington st. | | | |
| 2,870 | " 10 " " " Walnut street. | | | |
| 1,516 | " 10 " " " Till street. | | | |
| <hr/> | | | | |
| 10,306 | feet 10 inch pipe, at \$2.10, | - | - | 21,642 60 |
| 1,773 | feet 8 inch pipe, laid in Sixth street. | | | |
| 1,922 | " 8 " " " Lancaster turnp. | | | |
| 3,280 | " 8 " " " Chestnut street. | | | |
| 1,088 | " 8 " " " Walnut " | | | |
| 793 | " 8 " " " Spruce " | | | |
| 2,370 | " 8 " " " Locust " | | | |
| <hr/> | | | | |
| 11,226 | feet 8 inch pipe, at \$1.75, | - | - | 19,645 50 |
| 3,718 | feet 6 inch pipe, laid in Lancaster turnp. | | | |
| 1,212 | " 6 " " " Bridge street. | | | |
| 1,843 | " 6 " " " Falls road. | | | |
| 1,534 | " 6 " " " Parke street. | | | |
| 424 | " 6 " " " Margaretta st. | | | |
| 593 | " 6 " " " Pratt street. | | | |
| 1,243 | " 6 " " " William " | | | |
| <hr/> | | | | |
| 10,567 | feet 6 inch pipe, at \$1.25, | - | - | 13,208 75 |
| 1,552 | feet 4 inch pipe, laid in Haverford street. | | | |
| 416 | " 4 " " " Seventh " | | | |
| 50 | " 4 " " " Elm " | | | |
| <hr/> | | | | |
| 2,018 | feet 4 inch pipe, at 75 cents, | - | - | 1,513 50 |
| | | | | <hr/> |
| | | | | \$80,420 35 |
| GAS. | | | | |
| 4,350 | feet 4 inch pipe, laid in Lancaster turnp. | | | |
| 1,209 | " 4 " " " Bridge street. | | | |
| 410 | " 4 " " " Seventh " | | | |
| 1,413 | " 4 " " " Haverford st. | | | |
| 834 | " 4 " " " Sixth street. | | | |
| 1,220 | " 4 " " " William " | | | |
| <hr/> | | | | |
| 9,436 | feet 4 inch pipe, at 75 cents, | - | - | 7,077 00 |
| Amount carried forward, | | | | <hr/> |
| | | | | \$87,497 35 |

| | | | | | |
|---|-------|-------|----|-----------------|----|
| Amount brought forward, | - | - | - | \$87,497 | 35 |
| To 7 gas drips, at \$25.00, | - | - | - | 175 | 00 |
| 4 4 inch stops, covers and boxes, \$35, | \$35, | \$140 | 00 | | |
| 13 6 " " " 47, | 47, | 611 | 00 | | |
| 12 8 " " " 60, | 60, | 720 | 00 | | |
| 10 10 " " " 77, | 77, | 770 | 00 | | |
| 8 12 " " " 95, | 95, | 760 | 00 | | |
| | | | | <u>3,001</u> | 00 |
| 94 fire plugs and cases, at \$50, | - | - | - | 4,700 | 00 |
| | | | | <u>\$95,373</u> | 35 |

CR.

CREDITS by the following amount of pipe, as per contract:—

| | | |
|--|-----------------|--------------------|
| 5,500 feet 12 in. pipe, at \$2.50, | \$13,750 | 00 |
| 4,500 " 10 " 2.10, | 9,450 | 00 |
| 2,000 " 8 " 1.75, | 3,500 | 00 |
| 8,000 " 6 " 1.25, | 10,000 | 00 |
| 12,000 " 4 " 75, | 9,000 | 00 |
| <u>32,000 feet of pipe,</u> | <u>-</u> | <u>-</u> 45,700 00 |
| 13 4 inch stops, at \$35, | \$455 | 00 |
| 9 6 " 47, | 423 | 00 |
| 2 8 " 60, | 120 | 00 |
| 5 10 " 77, | 385 | 00 |
| 6 12 " 95, | 570 | 00 |
| <u>35 stops.</u> | <u>1,953</u> | 00 |
| 103 fire plugs and cases, at \$50, | 5,150 | 00 |
| | <u>52,803</u> | 00 |
| 734 feet 12 inch pipe taken up, at \$1.50, | - | - |
| | <u>1,101</u> | 00 |
| | <u>53,904</u> | 00 |
| | <u>\$41,469</u> | 35 |

*Commissioners of the District of West Philadelphia, to
Birkinbine & Trotter.*

1853, Dec. 31.

| | | | |
|---|-------------------------------|----------|----------|
| To taking up 12 inch main, from reservoir to railroad crossing, 1011 hours' work, at 10 cts., | - | \$101 10 | |
| 6 cords wood, | - | 36 00 | |
| | | <hr/> | \$137 10 |
| Extra work putting in two fire plugs, one at Chest- nut and Hamilton, and one at Chestnut and Chestnut av., 14 hours, at 10 cents, | - | 1 40 | |
| 4 large belts, | - | 2 00 | |
| | | <hr/> | 3 40 |
| March 30. Making trunk for drain at reservoir, $25\frac{2}{10}$ days' la- bor, at \$1.00, | - | 25 20 | |
| Carpenter work, | - | 13 46 | |
| | | <hr/> | 38 66 |
| Surveying lot, (L. W.) | - | - | 11 50 |
| 87 lbs. forgings, at 15 cts. per lb., branch at Haverford st. and Lan- caster pike, | - | - | 12 82 |
| 1 reducer, 16 to 12, 450 lbs. | | | |
| 12 | | | |
| 1 branch, 16×16, 1428 " | | | |
| 12 | | | |
| | | <hr/> | |
| | 1878 " at $2\frac{1}{2}$ cts. | | 46 95 |
| | | | <hr/> |
| | | | \$250 43 |
| Add 15 per cent., | - | - | 37 50 |
| | | | <hr/> |
| | | | \$287 93 |

J.

*Commissioners of the District of West Philadelphia, to
Birkinbine & Trotter.*

1853, Dec. 31.

To extra digging in West Philadelphia :—
Week ending

| | | | |
|-------------------------|---|---------|----------|
| June 10th. | On Sixth street, from Sycamore street, 114 feet north of bridge, 1125 feet deep, dug from $4\frac{8}{12}$ to $7\frac{1}{2}$ to $4\frac{8}{12}$ feet deep, viz : $1125 \times 1\frac{5}{12} = 1594$, at 5 c. | \$79 70 | |
| | On Haverford street from Sixth to Seventh, 408 feet, dug 5 feet deep, viz : $408 \times 1\frac{4}{12} = 543$, at 5 c. | 27 15 | |
| | On Seventh street, from Haverford to Bridge st., 409 feet, dug from 4 to 7 to $4\frac{8}{12}$ feet deep, viz : $409 \times 1\frac{8}{12} = 270$, at 5 c. | 13 50 | |
| | | <hr/> | 120 35 |
| June 24th. | On Haverford st., from Sixth to Fifth, 415 feet, dug from 4 to 6 to 4 feet deep, viz : $415 \times 1\frac{4}{12} = 552$, at 5 c. | 27 60 | |
| | On Haverford st., from Fifth to Sixth to Fourth, 883 feet, dug from 4 to 6 feet deep, viz : $883 \times 1\frac{4}{12} = 509$, at 5 c. | 25 45 | |
| | On Haverford st., from Seventh to Eighth, 317 feet, dug from 4 to 6 to 4 feet deep, viz : $317 \times 1\frac{4}{12} = 432$, at 5 c. | 21 60 | |
| | | <hr/> | <hr/> |
| Amount carried forward, | - | \$74 65 | \$120 35 |

| | | | |
|------------|---|---------|------------|
| 1853. | Amount brought forward, | \$74 65 | \$120 35 |
| June 24th. | On Bridge st., from 48 feet east of Ninth st., running west 318 feet, dug from $4\frac{8}{12}$ to $6\frac{1}{2}$ to $4\frac{8}{12}$ feet deep, viz: $318 \times \frac{8}{12} = 210$, at 5 c. | 10 50 | |
| | | | 85 15 |
| July 1st. | On Bridge st., east from Sixth to Third, 1180 feet, dug from 4 to 11 feet deep, viz: $1180 \times 3\frac{5}{12} = 4130$, at 5 cts., | | 206 50 |
| Oct. 24th. | On Sixth st., from the church at Sixth and Bridge sts., to Samuel Hutchinson's lot, 1471 feet, dug from 4 to 7 to 4 feet deep, viz: $1471 \times 1\frac{6}{12} = 2207$, at 5 cts., | | 110 35 |
| | On Lancaster pike, from the north side of Gheen's board yard to within 150 feet of the first Toll Gate, 880 feet, dug from 4 to 6 to 4 feet deep, viz: $880 \times 1 = 880$, at 5 cts., - - | | 44 00 |
| | On Washington st., east of Toy's tavern to the centre of Crammond st., 925 feet, dug from $4\frac{1}{2}$ to $7\frac{1}{2}$ feet deep, viz: $925 \times 1\frac{6}{12} = 1387$, at 5 cts., - | | 69 35 |
| | On Washington st., 50 feet east of Crammond st., to Lane's coach factory, 12 feet, dug from $4\frac{1}{2}$ to $10\frac{0}{12}$ to $4\frac{1}{2}$ feet deep, viz: $1200 \times 3\frac{2}{12} = 3792$, at 5 cts., - | | 189 60 |
| | On Lancaster pike, from Crammond st. to Washington st., 560 feet, dug from 4 to 11 feet deep, viz: $560 \times 3\frac{6}{12} = 1960$, at 5 cts., - | | 98 00 |
| | On Washington st., from Parke, west 840 feet, dug from $4\frac{8}{12}$ to $10\frac{1}{2}$ to $4\frac{8}{12}$ feet deep, viz: $840 \times 2\frac{1}{12} = 2450$, at 5 cts., - | | 122 50 |
| | Amount carried forward, | - - | \$1,045 80 |

| | | | | |
|------------|--|---|---|------------|
| 1853. | Amount brought forward, | - | - | \$1,045 80 |
| Oct. 24th. | On Washington st., from 80 feet east of Rose st., 640 feet west, dug from $4\frac{8}{12}$ to 8 to $4\frac{8}{12}$ feet deep, viz: | | | |
| | $640 \times 1\frac{8}{12} = 1062$, at 5 cts., | - | | 53 10 |
| Oct. 31st. | On Chestnut st., from 170 feet west of Mary, running west to Alderman Allen's office, 751 feet, dug from 4 to 7 to 4 feet deep, viz: | | | |
| | $751 \times 1\frac{6}{12} = 1127$, at 5 cts., | - | | 56 35 |
| Nov. 31st. | On Pratt st., from Till to William, 584 feet, dug from 5 to $11\frac{1}{2}$ to 4 feet deep, viz: | | | |
| | $584 \times 4 = 2336$, at 5 cts., | - | | 116 80 |
| Dec. 2d. | On Chestnut st., from 200 feet west of Till st., 720 feet, dug from 4 to 10 to 4 feet deep, viz: | | | |
| | $720 \times 3 = 2160$, at 5 cts., | - | | 108 00 |
| | On Walnut st., from 80 feet east of Chestnut av., 300 feet east, dug from 4 to $7\frac{1}{2}$ to 4 feet deep, viz: | | | |
| | $300 \times 1\frac{9}{12} = 525$, at 5 cts., | - | | 26 25 |
| | On Bridge st., (gas,) from the centre of Eighth and Ninth, running west 840 feet, dug from 4 to 7 to 4 feet deep, viz: | | | |
| | $840 \times 1\frac{1}{2} = 1540$, at 5 cts., | - | | 77 00 |
| | On the Lancaster pike, (gas,) commencing at Toll Gate No. 1, running north 520 feet, dug from 4 to 6 to 4 feet deep, viz: | | | |
| | $520 \times 1\frac{4}{12} = 692$, at 5 cts., | - | | 34 60 |
| Dec. 9th. | On the Lancaster pike, (gas,) from 170 feet south of plug at Westminster av., running south 480 feet, dug from 4 to $6\frac{1}{2}$ to 4 feet deep, | | | |
| | $480 \times 1\frac{7}{12} = 760$, at 5 cts., | - | | 38 00 |
| | On Locust st., from the first plug west of Parke st., running east 840 feet, dug from 4 to 6 to 4 feet deep, viz: $840 \times 1 = 840$, at 5 c., | | | 42 00 |
| | Amount carried forward, | - | - | \$1,597 90 |

| | | |
|-----------|--|------------|
| 1853. | Amount brought forward, - - | \$1,597 90 |
| Dec. 9th. | On Margaretta st., from Walnut to Locust, a distance of 420 feet, dug from 4 to 6 to 4 feet deep, viz: $420 \times 1 = 420$, at 5 cts., - | 21 00 |
| Dec. 23d. | On Parke st., from centre of Locust to South, foot-walk on Walnut st., 392 feet, dug from 4 to 10 to 4 feet deep, viz: $392 \times 1 = 392$, at 5 cts., - | 19 60 |
| | On Sixth st., (gas,) from north side of Haverford to centre of Sycamore, 824 feet, dug from $3\frac{1}{2}$ to 5 feet deep, viz: $824 \times \frac{1}{2} = 412$, at 5 cts., - | 27 20 |
| | On Parke st., from south side of Chestnut to south side of Wash- ington, 588 feet, dug from 4 to 5 feet deep, viz: $588 \times 1 = 588$, at 5 cts., - | 29 40 |
| | On Seventh st., (gas,) from north side of Bridge to south side of Haver- ford st., 393 feet, dug from $3\frac{1}{2}$ to $6\frac{1}{2}$ to 5 feet deep, viz: $393 \times 1.75 = 688$, at 5 cts., - | 34 40 |
| | | <hr/> |
| | | \$1,729 50 |

*Commissioners of the District of West Philadelphia to
Birkinbine & Trotter.*

| | | |
|---------|--|---------------|
| 1854. | To extra digging, viz : | |
| Feb. 3. | On Haverford street, from west line of Seventh, running west 160 feet, dug from $3\frac{1}{2}$ to 6 to $3\frac{1}{2}$ feet deep, viz: $160 \times 18 = 288$, at 5 cts., | \$14 40 |
| | On Seventh street, from Haver- ford to Elm street, a distance of 391 feet, dug from $3\frac{1}{2}$ to $6\frac{1}{2}$ to $3\frac{1}{2}$ feet deep, viz: $391 \times 2 = 782$, at 5 cts., | 39 10 |
| | Amount carried forward, | <hr/> \$53 50 |

| | | | |
|---------|---|-------------------|-------------------|
| 1854. | Amount brought forward, | \$53 50 | |
| Feb 3. | On Seventh street, 27 feet from north line of Elm, a distance of 350 feet, dug from $3\frac{1}{2}$ to $9\frac{1}{2}$, viz: $350 \times 3 = 1,050$, at 5 cts., | 52 50 | |
| | | <u> </u> | 106 00 |
| | Expenses for week ending Jan- uary 6, 1854, - - - | 71 68 | |
| | Expenses for week ending Jan- uary 13, 1854, - - - | 66 52 | |
| | Expenses for week ending Jan- uary 20, 1854, - - - | 59 17 | |
| | Expenses for week ending Jan- uary 27, 1854, - - - | 54 76 | |
| | | <u> </u> | 252 13 |
| | Add 15 per cent., - - - | 37 80 | |
| | | <u> </u> | 289 93 |
| Feb. 4. | To brick-work upon foundation for engine and pumps, (Eli- sha Jones,) Jan. 13, 1854, | 20 73 | |
| | Add 15 per cent., - - - | 3 11 | |
| | | <u> </u> | 23 84 |
| | To altering inlet pipe pattern for tower, (H. Nichols,) Jan- uary 6, 1854, - - - | 5 40 | |
| | Add 15 per cent., - - - | 81 | |
| | | <u> </u> | 6 21 |
| | To $3\frac{1}{2}$ tons coal, (Garrett,) - | 14 00 | |
| | Add 15 per cent., - - - | 2 10 | |
| | | <u> </u> | 16 10 |
| Feb. 6. | Expenses for week ending Feb- ruary 3, 1854, - - - | 88 29 | |
| | Add 15 per cent., - - - | 13 24 | |
| | | <u> </u> | 101 53 |
| | Amount carried forward, - - - | | <u> </u> |
| | | | \$543 61 |

| | | | | |
|----------|---|-------|--------|------------|
| 1854. | Amount brought forward, | - | - | \$543 61 |
| Feb. 6. | To 924 feet 6 inch pipe, laid in Lexington st., at \$1.25, | 1,155 | 00 | |
| | 825 ft. 4 in. gas pipe laid in Seventh street, | | | |
| | 1,855 ft. 4 in. gas pipe laid in Falls road, | | | |
| | 143 ft. 4 in. gas pipe laid in Haverford street, | | | |
| | 310 ft. 4 in. gas pipe laid in Walnut street, | | | |
| | 370 ft. 4 in. gas pipe laid in Oak street, | | | |
| | <hr/> | | | |
| | 3,530 ft. 4 in. pipe, at 75 cts., | 2,647 | 50 | |
| | 1 10 in. stop cover box, | | 77 00 | |
| | 2 4 " " at \$35, | | 70 00 | |
| | 5 gas drips, " at 25, | | 125 00 | |
| | 12 fire plugs, at 50, | | 600 00 | |
| | | | <hr/> | 4,674 50 |
| Feb. 15. | Expenses week ending | | | |
| | Feb. 10, '54, res. | 12 56 | } | 67 77 |
| | e. h., | 55 21 | | |
| | Add 15 per cent., | - | - | 10 17 |
| | | | <hr/> | 77 94 |
| Feb. 21. | Feb. 17, '54, inlet, | 30 25 | } | 87 70 |
| | res., | 57 45 | | |
| | Add 15 per cent., | - | - | 13 16 |
| | | | <hr/> | 100 86 |
| Feb 27. | Feb. 24, '54, inlet, | 10 55 | } | 40 24 |
| | e. h., | 29 69 | | |
| | Add 15 per cent., | - | - | 6 04 |
| | | | <hr/> | 46 28 |
| March 6. | Feb. 31, '54, e. h., | 23 19 | } | 45 56 |
| | | 22 37 | | |
| | Add 15 per cent., | - | - | 6 83 |
| | | | <hr/> | 52 39 |
| March 7. | To Garrett's bill of coal from Jan. 31 to March 2, | - | 20 00 | |
| | Add 15 per cent., | - | - | 3 00 |
| | | | <hr/> | 23 00 |
| | Amount carried forward, | - | - | \$5,518 58 |

| | | | | |
|-----------|--|-------|--------|------------------------|
| 1854. | Amount brought forward, | - | - | \$5,518 58 |
| Mar. 13. | March 10, '54, e. h., 53 24 } res., 53 23 } | 106 | 47 | |
| | Add 15 per cent., | - | 15 97 | |
| | | | <hr/> | 122 44 |
| Mar. 20. | March 17, '54, res., 149 15 } e. h., 74 56 } | 223 | 71 | |
| | Add 15 per cent., | - | 33 55 | |
| | | | <hr/> | 257 26 |
| Mar. 25. | Expenses for (masons) week ending Feb. 17, '54, inlet, | 35 | 13 | |
| | Expenses for (masons) week ending Feb. 8, '54, inlet, | 34 | 43 | |
| | Expenses for (masons) week ending March 10, '54, inlet, | 35 | 75 | |
| | Expenses for (masons) week ending March 17, '54, inlet, | 99 | 41 | |
| | Expenses for (masons) week ending March 24, '54, inlet, | 133 | 86 | |
| | | <hr/> | 338 58 | |
| | Add 15 per cent., | - | 50 79 | |
| | | | <hr/> | 389 37 |
| | Expenses for week ending March 24, '54, reservoir, | 289 | 08 | |
| | Add 15 per cent., | - | 43 36 | |
| | | | <hr/> | 332 44 |
| April 7. | March 31, '54, res., 234 57 } e. h., 125 42 } | 359 | 99 | |
| | Add 15 per cent., | - | 54 00 | |
| | | | <hr/> | 413 99 |
| April 11. | April 7, '54, res., 209 74 } e. h., 193 69 } | 403 | 43 | |
| | Add 15 per cent., | - | 60 57 | |
| | | | <hr/> | 463 94 |
| April 13. | To 487½ perch stone in foun- dations for engines, at \$1, | 487 | 50 | |
| | Measuring charge, | - | 7 81 | |
| | | | <hr/> | 495 31 |
| | Add 15 per cent., | - | 74 30 | 596 61 |
| 23 | Amount carried forward, | - | - | <hr/> <hr/> \$8,094 63 |

| | | | | |
|-----------|---------------------------------|------|--------|------------|
| 1854. | Amount brought forward, | - | - | \$8,094 63 |
| April 18. | Expenses for week ending | | | |
| | April 14, '54, res., 252 64 | } | 412 82 | |
| | e. h., 160 18 | | | |
| | Add 15 per cent., | - | - | 61 92 |
| | | | | <hr/> |
| | To coal, (Garrett's bill,) | - | 6 75 | 474 74 |
| | Add 15 per cent., | - | 1 01 | |
| | | | | <hr/> |
| | To use of pumping engine | | | 7 76 |
| | from Jan. 1, 1854, to date, | | | |
| | 92 days, at \$3, | - | - | 276 00 |
| | To use of derrick and hoisting | | | |
| | engine from Jan. 1, 1854, | | | |
| | to date, 92 days, at \$5, | - | 460 00 | |
| | | | | <hr/> |
| | | | | 736 00 |
| April 24. | To expenses week ending | | | |
| | April 21, '54, res., 185 43 | } | 271 84 | |
| | 86 41 | | | |
| | Add 15 per cent., | - | - | 40 78 |
| | | | | <hr/> |
| | | | | 312 62 |
| April 25. | G. R. Blakiston's bills, ce- | | | |
| | ment, | - | - | 132 75 |
| | Add 15 per cent., | - | - | 19 91 |
| | | | | <hr/> |
| | | | | 152 66 |
| | 4½ flat win. gauge, | 1 87 | | |
| | Add 15 per cent., | 28 | | |
| | | | | <hr/> |
| | | | | 2 15 |
| | Smith work, | - | - | 1 18 |
| | | | | <hr/> |
| | | | | 155 99 |
| April 29. | To 11 days' hauling, at \$2 25, | | 24 75 | |
| | Add 15 per cent., | - | - | 3 71 |
| | | | | <hr/> |
| | | | | 28 46 |
| | To use of pumping engine from | | | |
| | April 18, 1854, to date, in- | | | |
| | clusive, (10 days,) at \$3, | | 30 00 | |
| | To use of hoisting engine and | | | |
| | derrick, from April 18th to | | | |
| | date, inclusive, (10 days,) | | | |
| | at \$5, | - | - | 50 00 |
| | | | | <hr/> |
| | | | | 80 00 |
| | Amount carried forward, | - | - | \$9,890 20 |

| | | | | |
|-----------|---------------------------------|-----|---------|--------------------|
| 1854. | Amount brought forward, | - | \$9,890 | 20 |
| April 29. | To expenses for week ending | | | |
| | April 28, '54, res., | 238 | 79 | } 416 28 |
| | e. h. | 177 | 49 | |
| | Add 15 per cent., | - | - | 62 44 |
| | | | | <u>478 72</u> |
| May 5. | To M'Garry's bill for lime from | | | |
| | March 6th to April 27th, | | | |
| | 1854, inclusive, | - | - | 84 75 |
| | Add 15 per cent., | - | - | 12 71 |
| | | | | <u>97 46</u> |
| | | | | <u>\$10,466 38</u> |

*Pipe and Branch on hand in West Philadelphia,
December 31st, 1853.*

| | | | | |
|-----------------------|----------------|---------|-----------------|--|
| 535 feet | 3 inch pipe at | \$0.36 | \$210 | 64 |
| 1,935 " | 4 " " | 0.50 | 967 | 50 |
| 2,529 " | 6 " " | 0.78 | 1,972 | 62 |
| 2,835 " | 8 " " | 1.10 | 3,118 | 50 |
| 306 " | 10 " " | 1.35 | 413 | 10 |
| 45 " | 12 " " | 1.60 | 72 | 00 |
| 2,142 " | 16 " " | 2.60 | 5,569 | 20 |
| | | | | <u>12,323 56</u> |
| 24 10 in. defective, | 216 feet, | \$1.35 | 291 | 60 |
| 19 8 " " | 171 " " | 1.10 | 188 | 10 |
| 9 6 " " | 81 " " | 78 | 63 | 18 |
| | | | | <u>542 88</u> |
| | | Pounds. | | |
| 7 sixteen inch bends, | | 5,075 | | |
| 1 twelve " " | | 475 | | |
| 6 eight " " | | 1,321 | | |
| 7 six " " | | 1,239 | | |
| 9 four " " | | 1,170 | | |
| 2 six " angle pipes, | | 177 | | |
| | | | 9,457 at 3½ c., | 331 00 |
| 1 reduce 16 to 12 | - | 450 | | |
| 2 " 10 to 8 | - | 262 | | |
| 1 " 12 to 10 | - | 340 | | |
| 15 goose necks, | - | 1,530 | | |
| | | | 2,582 at 2½ c., | 64 55 |
| | | | | <u>Amount carried forward, - \$13,261 99</u> |

| | | |
|--------------------------------------|------------------|-------------|
| Amount brought forward, - - | | \$13,261 99 |
| | Pounds. | |
| 7 fire plugs and cases, at \$10, - - | | 70 00 |
| 5 " " " at 15, - - | | 75 00 |
| 5 gas drips, - - - | 1,250 at 3½ c. | 43 75 |
| 2 twelve inch sleeves, - | 320 | |
| 2 ten " " - - | 324 | |
| 3 eight " " - - | 230 | |
| 3 six " " - - | 85 | |
| | —859 at 2½ c., | 21 47 |
| 1 sixteen inch stop, - - - | | 120 00 |
| 1 twelve " " - - - | | 90 00 |
| 3 eight " " at \$55, - - - | | 165 00 |
| 10 large frames and covers, 2,040 | | |
| 12 | | |
| 1 branch 16+16 - | 1,428 | |
| 12 | | |
| 3 | | |
| 3 " 16+16 - | 3,600 | |
| 10 | | |
| 1 " 12+12 - | 1,300 | |
| | —8,368 at 2½ c., | 209 20 |
| 3 | | |
| 4 " 12+12 - | 2,480 | |
| 8 | | |
| 1 " 12+12 - | 1,960 | |
| 8 | | |
| 8 | | |
| 1 " 10+10 - | 810 | |
| 8 | | |
| 3 | | |
| 3 " 10+10 - | 1,341 | |
| 6 | | |
| 4 " 8+8 - | 2,195 | |
| 6 | | |
| 4 | | |
| 1 " 8+8 - | 850 | |
| 4 | | |
| 8 | | |
| 1 " 8+8 - | 910 | |
| 8 | | |
| | 10,546 | |
| Amount carried forward, - | | \$14,056 41 |

Amount brought forward, 10,546 lbs. \$14,056 41

| | | | |
|------------|-----|---|-------|
| | 8 | | |
| 8 branches | 8+8 | - | 4,000 |
| | 8 | | |
| 12 " | 8+8 | - | 4,266 |
| | 6 | | |
| 3 " | 6+6 | - | 1,200 |
| | 6 | | |
| | 6 | | |
| 4 " | 6+6 | - | 1,480 |
| | 4 | | |
| 1 " | 6+6 | - | 350 |
| | 4 | | |
| | 3 | | |
| 2 " | 6+6 | - | 610 |
| | 4 | | |
| 8 " | 4+4 | - | 1,152 |
| | 4 | | |
| | 3 | | |
| 15 " | 4+4 | - | 1,500 |

25,104 at 2½ cts., 627 60

Jan. 31, 1854.

| | | | |
|---|-----------------|----------|-----------------|
| 1 12 in. turn, | } 1,472 lbs. at | \$51 52 | |
| 1 18 in. turn, | | | |
| 1 drip complete, | | | 3½ c. (F. 218,) |
| 2 covers, | } 1,273 lbs. at | 44 55 | |
| 1 16 in. turn, | | | |
| 1 10 in. turn, | | | 3½ c. (F. 224,) |
| 4 drip covers, | | | |
| 1 16 in. turn, 670 lbs. at 3½ cts., (F. 228,) | | 23 45 | |
| 1 16 inch turn, 1 10 inch turn, 1,153 lbs., at 3½ cts., (F. 240,) | | 40 35 | |
| 1 16 in. turn, 700 lbs. at 3½ cts. (F. 248,) | | 24 50 | |
| 1 16 in. turn, 1 6 in. turn, 865 lbs. at 3½ cts. (254,) | | 30 27 | |
| 230 4 inch pipes, 2,070 feet, at 50 c. | | 1,035 00 | |

Amount carried forward, - \$1,249 64 14,684 01

| | | | | | |
|---|------------------------------------|------------------------|-------------|------------------------|-------|
| Amount brought forward, | | \$1,249 64 | 14,684 01 | | |
| 3 | } Colwell & Co., Jan. 1, 1854. | } 5,372 lbs. at 2½ c., | 134 30 | | |
| 3 branches 10—10, | | | | | |
| 2 " 8—8, | | | | | |
| 2 " 6—6, | | | | | |
| 1 " 12—12, | | | | | |
| 1 " 10—10, | | | | | |
| 7 3 inch plug pipes, | | | | | |
| 139 pipes 4 inch, 1,251 feet, at 50 cts., | | | | 625 00 | |
| 1 branch 10—10, | | | | } 508 lbs. at 2½ cts., | 12 20 |
| 1 plug pipe, inch. | | | | | |
| 17 plug pipes, 1903 | } Colwell & Co., Jan. 30, 1854. | } 3501, at 2½ cts., | 87 52 | | |
| 1 branch 8—8, 336 | | | | | |
| 1 " 8—8, 552 | | | | | |
| 1 " 6—6, 300 | | | | | |
| 1 " 10—10, 401 | | | | | |
| 1 16 inch turn, 722, at 3½, F. 269, | | 25 27 | | | |
| 1 16 inch turn, 1 6 inch turn, 863, at 3½, F. 260, | | 30 20 | | | |
| | | | 2,164 63 | | |
| 1 20 inch stop, | | 175 00 | | | |
| 1 12 " " | | 65 00 | | | |
| 1 10 " " | | 55 00 | | | |
| 3 8 " " | | 135 00 | | | |
| 1 4 " " | | 25 00 | | | |
| 22 fire plugs, at \$12, | | 264 00 | | | |
| 42 " cases, at \$10, | | 420 00 | 1,139 00 | | |
| Amount carried forward, | | | \$17,987 64 | | |

| | |
|---|--------------|
| Amount brought forward, | \$17,987 64 |
| By pipe and branches laid in 1854:— | |
| 924 feet, 6 inch, at 78 cts., | \$720 72 |
| 3,530 feet, 4 “ at 50 “ | 1,765 00 |
| 1 10 inch stop, | 55 00 |
| 2 4 “ | 50 00 |
| 5 drips, | 75 00 |
| 12 fire plugs, | 264 00 |
| | <hr/> |
| | 2,929 72 |
| | <hr/> |
| | 15,057 92 |
| | |
| Amount of original contract, | 120,000 00 |
| Less amount to finish,— | |
| Grading and fencing, | 1,400 00 |
| Work and materials in engine and boiler house, | 2,000 00 |
| Work necessary to finish stand, | 1,000 00 |
| | <hr/> |
| | 4,400 00 |
| Less amount not required,— | |
| Weir, | 75 00 |
| Estimate cost of chimney, 60 feet high, | 200 00 |
| Amount required to finish engine and run the same for one year, | 25,325 00 |
| | <hr/> |
| | 30,000 00 |
| <i>Report of May, 1854:</i> | |
| Amount of original contract, | 120,000 00 |
| For engines, | 25,000 00 |
| | <hr/> |
| | 145,000 00 |
| Amount considered necessary to complete contract, | 30,000 00 |
| | <hr/> |
| | 115,000 00 |
| Amount allowed for pipe not laid, | 10,000 00 |
| Amount allowed for extra work, | 60,000 00 |
| | <hr/> |
| | \$185,000 00 |

The above was taken from the general bill, and reported to the Commissioners, Philadelphia, May 5th,—met at John Rice's office.

[COPY.]

PHILADELPHIA, May 31st, 1854.

Commissioners of the District of West Philadelphia to Birkinbine & Trotter.

| | | | | |
|----------------|--|-------|-------------------|-------------------|
| Res. \$202.49. | Expenses for week ending May | | | |
| E. II. 141.47. | 5th, 1854, | | \$343 96 | |
| | Add 15 per cent., | | 51 59 | |
| | Deduct machinist's time May 14th, | | | |
| | 21st and 28th, on engine, | 25 30 | | |
| | Add 15 per cent., | 3 80 | | |
| | | | <u>29 10</u> | 366 45 |
| Res. \$198.33. | Expenses for week ending May | | | |
| E. II. 243.84. | 12th, 1854, | | 442 17 | |
| | Add 15 per cent., | | 66 33 | |
| | | | <u>508 50</u> | |
| Res. \$224.53. | Expenses for week ending May | | | |
| E. II. 172.20. | 19th, 1854, | | 396 73 | |
| | Add 15 per cent., | | 59 51 | |
| | | | <u>456 24</u> | |
| Res. \$240.31. | Expenses for week ending May | | | |
| E. II. 100.87. | 26th, 1854, | | 374 43 | |
| En. 33.25. | Add 15 per cent., | | 56 16 | |
| | | | <u>430 59</u> | |
| | 27 barrels cement (G. R. Blakiston) | | | |
| | May 8th, 1854, | | 60 75 | |
| | 1021 feet 3d com. boards, at 2c. (Keen | | | |
| | & Bro.) May 16th, 1854, | | 20 42 | |
| | Coal, A. Garrett's bills, May 12th and | | | |
| | April 20th, 1854, | | 26 12 | |
| | | | <u>107 29</u> | |
| | Add 15 per cent., | | 16 09 | |
| | | | <u>123 38</u> | |
| | 2 ps. castings for foundations, 1,107 | | | |
| | 1 do do do | 533 | | |
| | 1 do do do | 533 | | |
| | | | <u>2,213 lbs.</u> | |
| | at 3½ cents, | | 77 45 | |
| | Add 15 per cent., | | 11 62 | |
| | | | <u>89 07</u> | |
| | Hauling, May 5th, 1854, | | 7 50 | |
| | do and work May 12th, 1854, | | 4 56 | |
| | do May 19th, 1854, | | 1 25 | |
| | 20 fathoms 3¼ in. M. rope 44 at 19 cts., | | | |
| | (Weaver,) August 31st, 1854, | | 8 36 | |
| | | | <u>21 67</u> | |
| | Add 15 per cent., | | 3 25 | |
| | | | <u>24 92</u> | |
| | | | | <u>\$1,999 15</u> |

| | | |
|---------|---|-------------------|
| | Amount brought forward, | \$1,999 15 |
| | To laying 215 feet of 16 in. main, from stand-pipe to Sixth st., at \$4, | \$860 00 |
| | To 6 16 in. curved pipes for inlet to stand-pipe, at 17 60 | 105 60 |
| | | <u>965 60</u> |
| 1854. | | |
| May 31. | To pattern for arch rafter, E. H. | 20 75 |
| " | " " circular wall plate, E. H. | 8 50 |
| " | " " shoes for braces, | 10 25 |
| | | <u>39 50</u> |
| | Add 15 per cent., | 5 93 |
| | | <u>45 43</u> |
| | | 3,010 18 |
| | Deduct 20 fathoms M. rope, 44 at 19 cts., | 8 36 |
| | Add 15 per cent., | 1 25 |
| | | <u>9 61</u> |
| | | 3,000 57 |
| May 31. | 4 girders for engine house, 2,985 lbs., at 3½ cts., | 104 47 |
| | Add 15 per cent., | 15 67 |
| | | <u>120 14</u> |
| | Bolts for engine house wall, 464 at 12½ cts., | 58 00 |
| | Add 15 per cent., | 7 70 |
| | | <u>65 70</u> |
| | | 185 84 |
| | | <u>\$3,186 41</u> |

We have examined the above and foregoing bill, and find the same to be correct.

(Signed,) JOHN RICE, }
JAMES MILLER, } *Appraisers.*

PHILADELPHIA, June 6th, 1854.

The appraisers to examine and estimate the work done, and materials furnished by Messrs. Birkinbine & Trotter, for the West Philadelphia Water Works, would respectfully report: That they have examined the accounts and vouchers of the contractors, for the month ending May 31st, 1854.

We find there is due for work and material at
engine during the month, - - - \$3,811 00
For extra work and materials at reservoir, 3,186 00

Amount carried forward, \$6,997 00

| | |
|--|-------------|
| Amount brought forward, | \$6,997 00 |
| We also find there is due for pipe not laid, and not included in the former estimate, | 3,500 00 |
| Having examined further into the accounts, &c., for extra work done prior to May 1st, 1854, we find that an additional sum of \$5,000 may be safely added to our former estimates, | 5,000 00 |
| | <hr/> |
| | \$15,497 00 |

(Signed,)

| | | |
|---------------|---|--------------------|
| JAMES MILLER, | } | <i>Appraisers.</i> |
| JOHN RICE, | | |

[COPY.]

PHILADELPHIA, July 12th, 1854.

City of Philadelphia, 24th Ward, to Birkinbine & Trotter.
1854.

To work beyond contract for Water Works in 24th Ward.

Building wall south side of Reservoir.

| | | |
|---|--------|--------|
| Expenses week end'g June 2, 1854, Diemer, | 40 35 | |
| “ “ “ 9, 1854, Morrell, | 23 73 | |
| “ “ “ 9, 1854, Diemer, | 49 70 | |
| “ “ “ 16, 1854, Morrell, | 32 52 | |
| “ “ “ 16, 1854, Diemer, | 65 10 | |
| “ “ “ 23, 1854, Morrell, | 34 06 | |
| “ “ “ 23, 1854, Diemer, | 64 05 | |
| “ “ “ 30, 1854, Morrell, | 29 07 | |
| “ “ “ 30, 1854, Diemer, | 53 06 | |
| “ “ July 7, 1854, Morrell, | 24 10 | |
| “ “ “ 7, 1854, Diemer, | 42 29 | |
| | <hr/> | |
| | 458 03 | |
| Add 15 per cent., | 68 70 | |
| | <hr/> | 526 73 |

Deepening Reservoir.

| | | |
|--|----------|--------------|
| Expenses week end'g June 2, 1854, Morrell, | 95 80 | |
| “ “ “ 9, 1854, “ | 164 30 | |
| “ “ “ 16, 1854, “ | 120 32 | |
| “ “ “ 23, 1854, “ | 122 88 | |
| | <hr/> | |
| Amount carried forward, | \$503 30 | <hr/> 526 73 |

| | | |
|--|----------|--------|
| Amount brought forward, | \$503 30 | 526 73 |
| Keen & Brother, June 23, 1854, | | |
| 500 feet common boards at 2c., | 10 00 | |
| 288 hemlock joist at 1½c., | 3 60 | |
| Coal, Garrett, May 5, 1854, | 10 00 | |
| 27 pounds cast steel, 19c., Field & Har- | | |
| die, June 8, 1854, | 5 13 | |
| Rope used up, 65 at 30, | 19 50 | |
| Plank " 384 feet, at 1½, | 5 76 | |
| Sundries, | 75 | |
| Expenses week end'g June 30, '54, Morrell, | 160 12 | |
| Coal, Garrett, | 10 97 | |
| Expenses week end'g July 7, '54, Morrell, | 130 67 | |
| | <hr/> | |
| | 859 80 | |
| Add 15 per cent., | 128 97 | |

988 77

Engine and Boiler Houses, viz :

| | |
|---|--------|
| Expenses week end'g June 2, '54, Morrell, | 121 34 |
| " " " 2, '54, Diemer, | 93 75 |
| " " " 9, '54, Morrell, | 79 50 |
| " " " 9, '54, Diemer, | 60 15 |
| " " " 16, '54, Morrell, | 112 91 |
| " " " 16, '54, Diemer, | 79 18 |
| " " " 23, '54, Morrell, | 97 37 |
| " " " 23, '54, Diemer, | 124 12 |
| 1 short girder, 552 pounds, at 3½c., | 19 32 |
| 2 corner sockets, 1085 pounds, at 3½c., | 37 98 |
| 2 short girders, 1076 pounds, at 3½c., | 41 16 |
| 1 " " 552 pounds, at 3½c., | 19 32 |
| 1 ring for dome, 785 pounds, at 3½c., | 27 48 |
| 1 circular wall plate, 555 pounds, at 3½c., | 19 42 |
| 1 girder 1054, } 2108 pounds, at 3½c., | 73 78 |
| 1 " 1054, } | |
| Pattern for large ring for top of E. H., (Nichols,) June 10, 1854, | 20 00 |
| Altering pattern for rafter of E. H., (Nichols,) June 10, 1854, | 5 50 |
| 1,010 feet 3d common boards, at 2c., | 20 20 |
| 288 feet hemlock joist, at 1½c., | 3 60 |

Amount carried forward, \$1,056 08 1,515 50

| | | |
|---|------------|------------|
| Amount brought forward, | \$1,056 08 | 1,515 50 |
| 505 common boards, Keen & Brother, June 14, 1854, | | 10 10 |
| 1,000 feet 3d common boards at 2c., | | 20 00 |
| 96 feet hemlock joist at 1¼c., | | 1 20 |
| Coal, (Blackiston,) | | 1 76 |
| Nails, S. & H., June 5, 1854, | | 5 00 |
| Lime, M. Garry, June 30, 1854, | | 164 85 |
| Work and material on pattern for girder, | | 6 65 |
| Expenses week end'g June 30, '54, Morrell, | | 102 51 |
| “ “ “ 30, '54, Diemer, | | 137 40 |
| 1 circular wall plate, 540 pounds, at 3½c., | | 18 90 |
| 394.3 perch stone in building, at \$1 20, | | 473 16 |
| 161.1 perch stone on ground, at \$1 20, | | 193 20 |
| | | <hr/> |
| | | 666 36 |
| Measuring charges, | | 8 80 |
| | | <hr/> |
| | | 675 16 |
| 284 loads sand, at 10c., Agnew, June 29, 1854, | | 28 40 |
| Expenses week end'g July 7, '54, Morrell, | | 76 42 |
| “ “ “ 7, '54, Diemer, | | 110 77 |
| | | <hr/> |
| | | 2,415 20 |
| Add 15 per cent., | | 362 28 |
| | | <hr/> |
| | | 2,777 48 |
| Sundries, | | 26 |
| Taking up 12 inch main, viz : | | |
| Expenses week end'g June 2, '54, Morrell, | | 14 12 |
| “ “ “ 9, '54, Morrell, | | 25 09 |
| “ “ “ 13, '54, Morrell, | | 23 13 |
| “ “ “ 23, '54, Morrell, | | 10 71 |
| Wood, Keen & Brother, June 9, 1854, | | 2 00 |
| “ “ “ 24, 1854, | | 2 00 |
| “ Blackiston, | | 10 13 |
| Expenses week end'g June 30, '54, Morrell, | | 36 11 |
| | | <hr/> |
| | | 123 55 |
| Add 15 per cent., | | 18 53 |
| | | <hr/> |
| | | 142 08 |
| Amount carried forward, | | <hr/> |
| | | \$4,435 06 |

| | | |
|--|---------|-------------------|
| Amount brought forward, | | \$4,435 06 |
| Grading lot at stand-pipe, viz : | | |
| Expenses week ending June 2, '54, Morrell, | \$12 31 | |
| Add 15 per cent., | 1 85 | |
| | | <u>14 16</u> |
| <i>Engine House.</i> | | |
| 1 circular wall plate, 550 pounds, at 3½ c., | 19 25 | |
| Add 15 per cent., | 2 89 | |
| | | <u>22 14</u> |
| 1 fire plug and case laid in 6th op. Tower, | | 50 00 |
| 182½ feet 16 inch main laid, at \$4, | | 3,130 00 |
| 2 16 inch stops, boxes and covers, at \$120, | | 240 00 |
| To use of pumping engine from April 29th, | | |
| 1854, to date, inclusive, 63 days, at \$3, | 189 00 | |
| To use of derrick and hoisting engine | | |
| from April 29th, 1854, to date, inclu- | | |
| sive, 63 days, at \$5, | 315 06 | |
| | | <u>504 00</u> |
| To engine and boiler houses, 13 feet 3 | | |
| inch pipe, for drain at 56 c., | | 7 28 |
| | | <u>\$8,402 64</u> |

—

July 12th, 1854.

Appraisers met at John Rice's office ; examined accounts to July 7th, including weekly accounts ending June 2d, which was not included in our last estimate, (see roll of June 2d ;) accounts were presented for work on contract amounting to \$8,521 71, including three of the four boilers for the engine ; the fourth they said was done, but not delivered, and not charged. Each boiler, \$2,087 28. Examined on boiler, showing sums amounting to \$8,106 31

The balance was alleged to be work and material furnished for the stand-pipe, 415 40

Approved. 8,521 71

The bill for extra work showed expenses amounting to \$8,402 64, (see copy,) to which was added 1,044 feet 4 inch pipe at 60 cents ; work by the Trustees of Gas Works. The whole amount \$626 40, was stricken off on account of not having time to examine it. 8,402 64

Approved. \$16,924 35

[COPY.]

PHILADELPHIA, July 13th, 1854.

To the Select and Common Councils of the City of Philadelphia:

The appraisers appointed to examine and estimate the work done and materials furnished by Messrs. Birkinbine & Trotter for the West Philadelphia Water Works, would respectfully report :

That having examined the accounts and vouchers of the contractors, from the date of the last estimates given to the Commissioners of West Philadelphia, we find that there appears, from the books and papers produced, to be due to Messrs. Birkinbine & Trotter, up to the 7th inst., for work done as per contract, eight thousand five hundred and twenty-one dollars and seventy-one cents, \$8,521 71
 For work and materials for stand pipe, (as per bill,) 8,402 64

Total sixteen thousand nine hundred and twenty-four dollars and thirty-five cents, \$16,924 35
 (Signed by) JAMES MILLER, } Appraisers.
 JOHN RICE, }

[COPY.]

PHILADELPHIA, August 31st, 1854.

City of Philadelphia, 24th Ward, to Birkinbine & Trotter.

July 12. To 1044 feet 4 inch pipe, laid in Walnut street, (24th Ward,) by C. M. Eakin & Co. \$626 40
 Aug. 22. Building wall south side of reservoir:
 Expenses week ending July
 14, 1854, Morrell, - - \$37 15
 Expenses week ending July
 14, 1854, Diemer, - - 25 83
 62 98
 Add 15 per cent., - - 9 45
 72 43
 Amount carried forward, - - \$698 83

| | | | |
|--|------------------------------------|---|----------|
| Amount brought forward, | - | - | \$698 83 |
| <i>Deepening Reservoir, viz :</i> | | | |
| July 11. | ½ ton coal, | - | \$2 88 |
| July 13. | ½ ton coal, | - | 2 88 |
| | Expenses week ending July | | |
| | 14, 1854, Morrell, | - | 178 27 |
| | Expenses week ending July | | |
| | 21, 1854, Morrell, | - | 16 50 |
| | Expenses week ending July | | |
| | 28, 1854, Morrell, | - | 8 75 |
| | Expenses week ending August | | |
| | 4, 1854, Morrell, | - | 1 88 |
| | Expenses week ending August | | |
| | 11, 1854, Morrell, | - | 6 87 |
| | Expenses week ending August | | |
| | 18, 1854, Morrell, | - | 8 75 |
| | | | 226 78 |
| | Add 15 per cent., | - | 34 02 |
| | | | 260 80 |
| <i>Engine and Boiler Houses, &c. &c.</i> | | | |
| July 28. | 1 circular plate, (wall,) 550 lbs. | | |
| | at 3½ cts., | - | 19 25 |
| | Expenses week ending July | | |
| | 7, 1854, Morrell, | - | 109 06 |
| | Expenses week ending July | | |
| | 14, 1854, Diemer, | - | 168 01 |
| | Expenses week ending July | | |
| | 21, 1854, Morrell, | - | 2 24 |
| Aug. 8. | 16 feet 3 inch pipe, for drain, | | |
| | at 56 cts., | - | 8 96 |
| | Expenses week ending July | | |
| | 28, 1854, Morrell, | - | 3 50 |
| | Expenses week ending August | | |
| | 11, 1854, Morrell, | - | 3 50 |
| | Expenses week ending August | | |
| | 18, 1854, Morrell, | - | 3 50 |
| Aug. 22. | 2 sockets and 2 short girders, | | |
| | 1521 lbs., at 3½ cts., | - | 53 23 |
| | | | \$371 25 |
| Amount carried forward, | - | | 959 63 |

| | | | |
|---|-------|----------|------------|
| Amount brought forward, | - | \$371 25 | 959 63 |
| 4 caps for girders, 609 lbs., | | | |
| at 3½ cts., | - - - | 21 31 | |
| 1 plate for landing, 748 lbs., | | | |
| at 3½ cts., | - - - | 26 18 | |
| 3 short girders and 4 caps, | | | |
| 1803 lbs., at 3½ cts., | - - - | 63 10 | |
| | | <hr/> | |
| | | 481 84 | |
| Add 15 per cent., | - - - | 72 28 | |
| | | <hr/> | 554 12 |
| Aug. 22. To digging 150 feet on Sixth st. north | | | |
| of Huston, from 4½ ⁸ to 8 feet to 5½ | | | |
| feet deep, viz. : 191¼ at 5 cts., | | | 9 56 |
| 1 12 inch stop frame and cover, | - - - | | 95 00 |
| 312 feet 16 inch main laid, at \$4, | - - - | | 1,248 00 |
| To use of pumping engine from July | | | |
| 12, 1854, to date August 22, inclu- | | | |
| sive, 36 days, at \$3, | - - - | | 108 00 |
| To use of hoisting engine and derrick | | | |
| from July 12, 1854, to date inclusive, | | | |
| 36 days, at \$5, | - - - | | 180 00 |
| Aug. 31. To work and materials on en- | | | |
| gine and boiler house : | | | |
| Expenses week ending Au- | | | |
| gust 25, 1854, Morrell, | | \$13 08 | |
| 17,100 brick for setting boilers, | | | |
| &c., (P. & P.) August 23, | | | |
| 1854, | - - - | 129 65 | |
| | | <hr/> | |
| | | 142 73 | |
| Add 15 per cent., | - - - | 21 41 | |
| | | <hr/> | 161 14 |
| To use of pumping engine from August | | | |
| 22, to date, inclusive, 8 days at \$3, | | | 24 00 |
| To use of hoisting engine and derrick, | | | |
| from August 22, 1854, to date, inclu- | | | |
| sive, 8 days at \$5, | - - - | | 40 00 |
| 176½ feet 16 inch main at \$4, | - - - | | 706 00 |
| | | <hr/> | |
| | | | \$4,088 45 |

1854.

Aug. 31. Work and material as per contract :

| | |
|-----------------------------------|----------|
| Stand-pipe, (now finished,) - - - | \$655 31 |
| Cornish engines, - - - - | 4,617 64 |

 5,272 95

| | |
|--------------------------|----------|
| Bill accompanying, - - - | 4,088 45 |
|--------------------------|----------|

 9,361 40

Deduct from charge for pipe laid by

| | |
|----------------------------|---------|
| C. M. Eakin for gas, - - - | \$62 08 |
|----------------------------|---------|

| | |
|--|-------|
| For time hoisting apparatus was not in use, - - - - | 90 00 |
|--|-------|

| | |
|--|-------|
| For time pumping engine was not in use, - - - - | 54 00 |
|--|-------|

 206 08

 9,155 32

| | |
|---|--------|
| Deduct 215 feet 16 inch main, charged in former estimate at \$4, - - - - | 860 00 |
|---|--------|

 \$8,295 32

Approved, as corrected September 5, 1854.

| | | |
|-----------|-----------------|-------------|
| (Signed,) | JAMES MILLER, { | Appraisers. |
| | JOHN RICE, } | |

TWENTY-FOURTH WARD, PHILADELPHIA, }
September 26th, 1854. }

Gentlemen of the Watering Committee of the City of Philada.

I have examined the West Philadelphia Water Works, and respectfully report the result of the examination.

First—in relation to pipe laid.

| | |
|----------------------------|-----------|
| I find there has been laid | |
| of 12 in. pipe, | 9,774 ft. |
| No. of feet to have been | |
| laid as per contract, | 5,500 ft. |

| | | |
|--------------------|-----------------------------|-------------|
| Extra 12 in. laid, | 4,274 ft. at \$2 50 per ft. | \$10,685 00 |
|--------------------|-----------------------------|-------------|

| | | |
|---|------------------------------|-------------|
| | Amount brought forward, | \$10,685 00 |
| Of 10 in. pipe, | 10,296 ft. | |
| No. of ft. as per contract, | 4,500 ft. | |
| | <hr/> | |
| Extra 10 in. laid, | 5,796 ft. at \$2 10 per ft. | 12,171 00 |
| Of 8 in. pipe, | 11,226 ft. | |
| No. of ft. as per contract, | 2,000 ft. | |
| | <hr/> | |
| Extra 8 in. laid, | 9,226 ft. at \$1 75 per ft. | 16,145 50 |
| Of 6 in. pipe, | 11,491 ft. | |
| No. of ft. as per contract, | 8,000 ft. | |
| | <hr/> | |
| Extra 6 in. laid, | 3,491 ft. at \$1 25 per ft. | 4,363 75 |
| Of 4 in. pipe, | 14,984 ft. | |
| No. of ft. as per contract, | 12,000 ft. | |
| | <hr/> | |
| Above contract, | 2,984 ft. at 75 cts. per ft. | 2,238 00 |
| Laid by Trustees of Gas Works, | 1,041 ft. at 50 cts. | 520 50 |
| Of 3 in. pipe, 29 feet at 56 cts. per foot, | | 16 24 |
| Of 16 in. pipe, 1,091 feet at \$4 00 per foot, | | 4,364 00 |
| | | <hr/> |
| Total value of extra pipe laid, | | 50,504 59 |
| Credit 734 ft. 12 in. taken up, 734 ft. at \$1 50 | | |
| per foot, | - - - - | 1,101 00 |
| | | <hr/> |
| Total of pipe above contract, | - - | \$49,403 59 |

Second—as to Fire Plugs and Cases.

| | | |
|----------------------|--------------------|----------|
| No. of plugs set, | 105 | |
| No. as per contract, | 103 | |
| | <hr/> | |
| Above contract, | 2 at \$50 a piece, | \$100 00 |

Third—as to Pipes, Branches, &c., on hand.

| | |
|--|-------------|
| Of 16 inch pipe—837 feet at \$2 60 per foot, | \$2,176 20 |
| Of 12 inch pipe—716 feet at \$1 60 per foot, | 1,145 60 |
| Of 8 inch pipe—2,852 feet at \$1 10 per foot, | 3,137 20 |
| Of 10 inch pipe—797 feet at \$1 35 per foot, | 1,075 95 |
| Of 6 inch pipe—754 feet at 78 cents per foot, | 588 12 |
| Of 4 inch pipe—1,089 feet at 50 cents per foot, | 544 50 |
| Of 3 inch pipe—45 feet at 36 cents per foot, | 16 20 |
| Branches—30,138 lbs. at 2½ cents per lb., | 753 45 |
| Curves—6,431 lbs. at 3½ cents per lb., | 225 08 |
| Stop-covers, &c.—1,020 lbs. at 2½ cents per lb., | 25 50 |
| Reducers, goose-necks, &c.—4,035 lbs. at 2½ cents per lb., | 100 87 |
| Fire plugs—13 at \$12 a piece, | 156 00 |
| Cases—44 at \$10 a piece, | 440 00 |
| Total value of pipes, branches, &c., on hand, | \$10,384 67 |

Fourth—as to excavation of reservoir and extra digging for pipe.

| | |
|---|---------------|
| No. of yards of excavation as now appears to have been made, | 27,078 yards. |
| No. of yards required by contract, | 23,600 " |
| Extra excavation, | 3,478 yards. |
| 3,478 yards at bottom of reservoir, estimated at \$2 50 per yard, | \$8,695 00 |
| Extra digging in laying pipe, as per bill rendered, | 1,835 50 |
| Total for excavation above contract, | \$10,530 50 |

Fifth—as to masonry.

| | |
|---|-------------|
| Extra masonry required by Cornish engines, &c., foundations, &c., dressed stone—1,100 perches estimated at \$9 50 per foot, | \$10,450 00 |
| Stone on ground, | 250 00 |
| Value of extra masonry and stone, | \$10,700 00 |

Sixth—

| | | | | | | |
|---|---|---|---|---|---|-------------------|
| Sundry expenses rendered necessary by alterations, not disputed, | - | - | - | - | - | \$1,727 85 |
| 15 per cent. added, | - | - | - | - | - | 259 17 |
| Total, | - | - | - | - | - | <u>\$1,987 02</u> |

RECAPITULATION.

| | | | | | |
|----------------------------------|---|---|---|---|--------------------|
| Value of extra pipes laid, | - | - | - | - | \$49,403 59 |
| “ “ fire plugs set, | - | - | - | - | 100 00 |
| “ pipes, branches, &c., on hand, | - | - | - | - | 10,384 00 |
| “ extra excavation, | - | - | - | - | 10,530 50 |
| “ “ masonry, | - | - | - | - | 10,700 00 |
| “ sundries, | - | - | - | - | 1,987 02 |
| | | | | | <u>\$83,105 78</u> |

Of the reservoir walls disconnected with the engines I have given you no estimate; there have been about 700 perches of stone laid in them, and it will require about 350 perches to finish them; when completed the amount required by contract can be ascertained, and the allowance for extra work made.

Of the materials and work of the engine-house I have made no estimate. There is quite a large item charged in the contractors' bill for work, and materials furnished for it. But as there is none of it up, I have been unable as yet to determine when the contract ends, and the extra work begins. I would recommend that the house be finished, and plans of the original shown, with the alterations rendered necessary, before an estimate of that is made.

I have made no estimate for raising stand-pipe ten feet higher than was originally intended, as charged in the contractors' bill, because there is no proviso made for any such extra charge in the contract.

There was about twelve feet of water in the reservoir, which prevented me from seeing the state of the bottom. The estimate is given for the reservoir, completed as to excavation.

As to contract work, we find the
 Pipe and branches all laid.
 The fire plugs all set.
 The stand-pipe completed.
 The reservoir completed as to excavation.
 Four boilers for Cornish engines.
 Materials for engines.
 Pumping apparatus.
 Materials for engine house.
 Amounting in value, in round numbers, to \$133,000 00.
 Leaving about \$12,000 00 for finishing contract, including
 running the works for one year.

| | | | | | | |
|---|---|---|---|---|---|--------------|
| Total estimate—amount of work done and materials furnished by the contractors above contract, | - | - | - | - | - | \$83,105 78 |
| Total estimate—as per contract, | - | - | - | - | - | 133,000 00 |
| Grand total, | - | - | - | - | - | \$216,105 78 |

All of which is submitted,

JAS. MILLER.

REPORT of the Engineers of the West Philadelphia Water Works.

PHILADELPHIA, September 6, 1854.

TO MESSRS. BUTCHER, MILLER, DENNIS, HILLIS, BULLOCK,
 and HINMAN, Joint Special Committee on Twenty-fourth
 Ward Water Works.

Gentlemen—We would respectfully request your attention to the following history of our connection with the “West Philadelphia, now the 24th Ward Water Works,” as the engineers and contractors for the same. In the fall of 1851, we were requested to make examinations and report a plan for supplying the District of West Philadelphia with water, which was accordingly done. We were then requested to make more thorough examinations, and make a full and more complete report upon the subject. A thorough examination

was made of the surrounding country; also levels and surveys of positions which promised a sufficient supply. All the streams within reasonable distance of the District were carefully examined, and plans for a supply from surface drainage, and storing reservoirs, thoroughly investigated; and after a careful examination was made upon the subject of introducing the water into the District, we submitted to the Commissioners the following report:

PHILADELPHIA, NOV. 17, 1852.

Commissioners of the District of West Philadelphia:

GENTLEMEN—Since our report, submitted for your consideration a year ago, we have made a more thorough examination of your District and vicinity, personally, and in connection with members of your Board, we find no situation so well adapted as the one indicated by your Board, and recommended in our report, “namely,” near Belmont Cottage for the receiving reservoir and engines, the river being broad at this point, and comparatively quiet. There is, perhaps, no place in the dam where purer water could be procured, and its distance above the City being such as to secure it from the impurities which are now, and may be in a few years, discharged into the river in greater quantities from drains and sewers; and for the subsiding and distributing reservoirs, the hill on Landsdowne. This site possesses sufficient elevation, that with mains of the proper size there would be no place in the District where the water would not have full and adequate head to reach the highest parts of all ordinary buildings. We are more than ever convinced, that to put up small works, or such as will meet the present wants of your rapidly increasing, widely extended District, would, in a year or two, be entirely inadequate, and not only be an injudicious expenditure of money, but would stand in the way of works of sufficient capacity and more permanent character.

We recommend larger and more complete works than in our former report. These works are contemplated to be of such magnitude, capacity and character, as will reflect not only credit to your District, but add permanently to its value, manifold their cost.

The plans herewith submitted for your consideration, have been carefully prepared by us, and we flatter ourselves, should

they be adopted, and the works constructed according to them, they will be the most complete water works in this vicinity.

We find, upon examination, that there were, in October last, in your District, 824 private residences, 58 stores, 17 hotels, 10 churches, 10 factories, and 34 buildings for sundry purposes, and there was being erected 184 new buildings, showing an increase in number of houses of at least $16\frac{19}{100}$ per cent. per annum; say 16 per cent. By the time that works of sufficient magnitude could be completed, say three years from January 1st, 1853, at this rate of increase, the number of houses in your District would be 1,764, and in ten years after, at the same rate of increase, there would be 7,781. This rate of increase will certainly be augmented by the introduction of gas and the grading of streets, which improvements are now being made, and by the introduction of an abundant supply of pure water, the most essential of all as regards health and comfort.

We, of the present day, are again beginning to appreciate the uses and benefits of water, and even the most ordinary houses now, when water can be procured, have their baths, &c., &c. While the inhabitants of the City and Districts of Philadelphia were satisfied in 1851 with an average supply of eight millions of gallons of water per day, the ancient Romans, more luxuriant in their habits, and better appreciating the value of water, had their city supplied from her nine aqueducts, which, together, were more than two hundred and fifty miles long, with about three hundred and twenty-seven millions of gallons per day, and there can be no doubt that the amount of water necessary to supply our wants, as we advance in wealth and luxury, will be vastly increased.

We propose constructing a receiving reservoir on the Schuylkill river, near Belmont Cottage. (See the accompanying drawings, No. 4.) This reservoir is connected with the river by means of a canal, twenty feet wide and 6 feet deep, provided with a series of strainers, to stop all leaves, sticks, and other impurities, floating at or near the surface of the water, from entering the reservoir. In this reservoir is a weir or partition rising to within 3 feet of the surface of the water. The water flows through the canal into the larger division of the reservoir, where the impurities held in suspension have an opportunity of subsiding, and from there it flows over the weir into the smaller division, from which the water is pumped;

this reservoir to be 250 feet long, 150 feet wide, and 10 feet deep; to be walled with stone, and so arranged that it can be emptied when it becomes necessary to cleanse it. Near this reservoir we would erect two Cornish pumping engines, (see drawing No. 3., the valve rods, cataract, levers, &c., are omitted to prevent confusion,) each of sufficient capacity to raise to the reservoir on Landsdowne one and a half millions of gallons of water per day, working at ten strokes per minute.

The kind of pumping engine here described, known as the Cornish engine, is the one by which the greatest amount of water can be raised by the least expenditure of fuel. They are now almost exclusively used for pumping in England, and are being introduced into this country with the same success. While they are the most expensive as regards the first cost, being double that of the ordinary high pressure engine, their economy in fuel, attendance and repairs, makes them the most economical in the end.

By the use of properly constructed pumping machinery, we think that steam is as economical as any other means of raising water in this vicinity. The Watering Committee of this City, in their annual report of 1851, pages 8 and 9, make a comparison between the cost of pumping at the Fairmount and the Northern Liberties and Spring Garden Water Works. From this report we make the following extract:

“In order that the importance of continuing water power as long as possible may be appreciated, the result of a comparison of the cost of steam and water power for the purpose of pumping water is here given. The total expense of running the eight wheels at Fairmount in 1850, was as follows:

For wages of workmen, tallow, oil, packing yarn, and fuel for heating the millhouse, was \$2,594 $\frac{9}{10}$ per annum, equal to \$7.10 $\frac{8}{10}$ per day. For repairs to the wheels and pumps during the year was—

| | | | |
|-------------------------------|---|---|--------------------------------|
| \$ 216 27 per annum, equal to | - | - | \$0 59 $\frac{2}{10}$ per day. |
| 2,811 18 | “ | “ | 7 70 “ |

For which sum an average of 4,785,338 ale gallons per day were pumped by the eight wheels and pumps, equal to a cost of about \$1 61 per million gallons raised per day.

From information kindly furnished by the Register of the

Spring Garden and Northern Liberties Water Works, the cost of pumping by steam power at those works in 1850, was shown to be as follows : To coal, wages of workmen, tallow, oil, yarn, &c., was \$16,644 00 per annum, equal to \$45 60 per day.

For repairs to engines and pumps during the year was—

| | | | | | |
|-------------|---------------------|---|---|---------|----------|
| \$ 5,127 46 | per annum, equal to | - | - | \$15 06 | per day. |
| 21,771 46 | “ | “ | - | *60 66 | “ |

For this sum an average of 3,231,254 gallons per day were pumped by three engines and pumps. About \$18 77 per million gallons per day.”

While they have charged to the Northern Liberties and Spring Garden works the amount of coal consumed, nothing has been charged to the Fairmount works for water power, which should be placed against the fuel consumed by the steam engines.

The City paid to the Schuylkill Navigation Company for the water right, \$176,000. The construction of the dam and forebay cost in all \$210,000, making the whole expense of the water power \$386,000. The interest of this would be \$23,160 per annum, which is the annual cost of the water power to the City of Philadelphia. Adding to this the running expenses as above, \$2,811 18, makes the annual expense (superintendence excepted) \$25,971 18, or \$14 86 per million gallons raised per day, in place of \$1 61 as above.

Taking into consideration also the height of the reservoirs, that of Spring Garden being 115 feet, and the distance from the pumps to the reservoir 3,250 feet, while the height of the City reservoir is but 96 feet, and the average distance about 300 feet, showing a difference of 19 feet in the height of the reservoirs, to which should be added 8 feet for the friction of the difference of the length of ascending mains, making the whole difference between them equal to 27 feet. That the water has to be pumped higher at the Spring Garden and Northern Liberties than at Fairmount works. From this, it is evident that, while it costs the City \$15 50 to raise one million gallons of water one hundred feet high per day, it costs the District of Spring Garden and Northern Liberties but \$15 06 to raise the same amount the same height per day.

* Which is an error, and should be \$59 64.

Now, if we add to the expenses of the City works the superintendence, and deduct from the Spring Garden and Northern Liberties 40 per cent. of the fuel consumed, the duty of their engines being only about twenty-four millions pounds raised one foot high by one bushel of coal, (94 lbs.) ; (see, report of Joint Watering Committee of 1845, page 8,) while that of properly constructed pumping machinery should be forty millions. The duty of the Cornish engine at the New River Water Works, London, is sixty millions, and 50 per cent. in repairs, which savings can be readily effected. By this, it is evident that water can be raised at least as cheap by steam in this vicinity as it is by Fairmount Water Works.

The engines (see drawing No. 3,) will be single acting, vertical condensing engines, steam cylinder of each five feet in diameter and eight feet stroke, situated above the pump, and supported by an octangular cast iron frame work, forming, with the clothing of the steam cylinder, an ornamental gothic tower. The pumps here shown are plain plunger pumps, fitted with double beat metallic valves. The diameter of the plunger of each pump is 18 inches, and the length of stroke the same as the engine, 8 feet.

We propose using three Cornish boilers for each engine, (see drawings No. 1 and 2,) each boiler to be 6 feet in diameter and 30 feet long, with an internal flue in which the fire is made, as shown in section drawing No. 1. For each set of boilers, we propose placing a direct acting steam pump, so that there will always be a certainty of a supply of water to the boiler.

Drawings No. 1 and 2, exhibit the proposed buildings for engines, boilers, houses and stack. The building is plain Gothic style, built of stone, and rough cast. It is composed of two octangular towers, supported by plain buttresses, and each surmounted by a cupola, which is made of sufficient strength, that any portion of the machinery may be lifted from its place by means of tackle, in case of repairs. The two towers are connected together by a two-story building, on the first floor of which are two engineers' rooms and a store room, and on the second floor a committee room occupying the whole space.

Immediately in the rear, and connected with these buildings, is the boiler house, covered with slate roof upon an iron frame, making it entirely fire proof.

The stack, in the rear of this building, is 85 feet in height, and built of stone, in a corresponding style of architecture.

We propose laying a 20 inch main from the pump to the reservoirs on Landsdowne.

On Landsdowne we would construct two reservoirs, each capable of containing five millions of gallons. They will each be 250 feet square, 15 feet deep, puddled and lined with hard brick.

The arrangements are such as will be seen by inspecting drawing No. 4: that we can pump into or supply from either of the reservoirs at pleasure.

It is proposed that the water shall be first pumped into the northern or subsiding reservoir, and from this, by means of an oscillating pipe, controlled by a float, the water will flow from near the surface into the second or distributing reservoir, and from this by a pipe of similar construction, the water from near the surface will be supplied to the District.

We know of no means by which the water of the Schuylkill river can be so thoroughly purified, as by the plans here proposed, namely, that of allowing it to deposite its impurities.

The water is received, first from the river into the receiving reservoir, where it has an opportunity of subsiding, from thence flows over the river into the pumping division of the reservoir, where it again has an opportunity of depositing its impurities. From this it is pumped into the subsiding reservoir, where its impurities have again an opportunity of subsiding. From this it flows into the distributing reservoir, from which the purer strata of water is again drawn from near the surface for consumption.

With reservoirs of sufficient capacity, we are satisfied that there are no means by which purer water can be procured. This is the same plan we recommended in our former report, and from a series of careful experiments before and since that report, we feel confident that pure and limpid water can always be supplied from the Schuylkill.

We have also experimented upon filterers, but do not find them so efficient as the plan we recommended above, and unless of very great comparative area, could not be depended upon for a large supply of pure water from all stages of the river.

Now, for distributing water to the District, we would

lay a 16 inch main from the reservoirs on Landsdowne, along the Monument road to the Lancaster turnpike, from thence along the turnpike to Haverford street, where we would branch and lay an 8 inch main down Haverford street to Blockley or Sixth street; a 12 inch main along Cedar street to Washington and Till streets, and a 16 inch main down Lancaster street to Washington street. We would again branch off with an 8 inch main from the 12 inch main at Washington and Cedar streets, down Washington street to Parke street, and a 6 inch main from Parke street to the bridge; branch off from the 12 inch main at Washington and Cedar streets with a 10 inch main along Till street to Spruce street. We would connect the 8 inch main in Haverford street with the 6 inch main on the Lancaster turnpike by a 6 inch main along Sixth street; branch off from the 8 inch main with a 6 inch main along Parke street to Spruce street; a 6 inch main from the 10 inch main in Till street, along Walnut street to Woodland street, and 4 and 3 inch service pipes on the other streets of the District when it may become necessary. On this amount of distributing main, which is about fifty-one thousand feet, there should be 150 fire plugs.

The proposed works will give to ten thousand consumers a supply fully equal to our City Works, and allow the same proportionate amount for extinguishing fires, and for other public uses of the District. This, at \$5 40, the average amount paid by each water-taker in the City, would be equal to a gross revenue of \$50,000.

This revenue will, no doubt, be realized within ten years from the construction of the works.

The nett revenue, deducting the expenses of collecting, of the Spring Garden and Northern Liberties Water Works, was in 1845, \$43,238 58; and the increase of the revenue from the City Works was, from the year 1824 to 1844, from \$26,000 to \$151,000, or \$125,000.

We estimate the gross revenue of the proposed works, when completed and first put into operation, to be as follows:

| | |
|---|----------|
| For 1764 tenements, at \$5 each, | \$8,820 |
| Extra charges for large consumers, | 3,000 |
| To use of district, (150 fire-plugs, &c.) | 3,000 |
| | <hr/> |
| Making a gross revenue of | \$14,820 |

As about forty-five thousand feet of the proposed pipe will be laid in front of improved property, on this, if the District charge \$1 per foot on each side, will return to the District \$90,000 of the cost of the works. We estimate the whole cost of the works above described, completed and in operation, at \$300,000. The works could readily be increased by additional pumping machinery, reservoirs, and mains, without the sacrifice of any of the parts described above, as the growth of the District requires it.

By making use of a portion of the \$90,000 which would be received from pipe laid in front of improved property—to meet such deficiencies there might occur in the revenue of the works, (running expenses, interest, &c.,) during the first few years that the works are in operation. The Water Works would never be a tax upon the District, but would more than pay for themselves before bonds of twenty and twenty-five years would come to maturity. Should the above meet your approval, we would respectfully suggest the importance of early action upon the subject.

Very respectfully yours,
(Signed) BIRKINBINE & TROTTER.

We urged the adoption of the above plan as far as our position would allow. The Commissioners thought it too expensive, and of greater magnitude than was required; and, at their request, we presented the following:

PHILADELPHIA, November 26th, 1852.

Commissioners of the District of West Philadelphia:

GENTLEMEN—At the request of some of the members of your Board, we have prepared the following plans and estimates for a supply of water to your District. These plans and estimates are for water works of less magnitude and cost than those contemplated in our former report.

First, we would construct a reservoir near Belmont Cottage, 150 feet long, 17 feet wide, and 10 feet deep, an engine and boiler-house, and stack of stone, covered with slate-roof. A high-pressure steam engine, fitted with expansion gear, steam cylinder, 18 inches diameter and 6 feet stroke. A double acting lift and force-pump, 12 inches diameter, and 6 feet stroke; both engine and pump to lay horizontal upon cast-iron beds, and to be geared at dead points through the fly-wheel shaft. They will be like those constructed by us for the Germantown Water Company, which some of the

members of your Board have examined. (See accompanying drawings.) We would lay a 12 inch main from the pump to the reservoir on Landsdowne.

On Landsdowne, we would construct a reservoir 250 feet long, 250 feet wide, and 15 feet deep, the water for a supply of the District to be drawn from near the surface from this reservoir by means of an oscillating pipe, controlled by a float.

From this reservoir, we would lay a 12 inch main down Monument road to Lancaster turnpike, and along Lancaster turnpike to Drove tavern; and a 10 inch main from Lancaster turnpike through Cedar street to Market street; an 8 inch main down Haverford street to Sixth street; a 6 inch main down Lancaster turnpike to Market street; and an 8 inch main from Market street along Till street to the Darby road; a 6 inch main from Till street along Market street to the Bridge; a 6 inch main along Parke street from Market street to Spruce street; and 4 and 3 inch connecting mains; making, in all, fifty thousand feet of pipe. About forty thousand feet of this pipe will be laid in front of improved property. There should be at least 100 fire-plugs along the above described mains.

The works would give an abundant supply of water to your District, allowing the same proportionate amount for public fountains, extinguishing fires, &c., as is supplied in our City to 4,000 consumers; which, at the average rate charged in the city, (\$5 40,) would be a gross revenue of \$21,600. The pumping machinery would be capable of raising, with ease, one million of gallons per day.

The works would require about two years for the construction, and would cost \$170,000. The water-rent would pay the running expenses and interest upon the cost of the works as soon as they could be constructed.

When an increased supply of water is necessary, these works can be enlarged by erecting other pumping machines, laying another main to the reservoir, constructing other reservoirs, as they may be called for, and laying larger mains into the District.

Very respectfully yours,

BIRKINBINE & TROTTER.

The works above proposed were still thought too expensive. The Commissioners then visited the works constructed

by us for the Germantown Water Company, and requested us to prepare another plan somewhat similar to the above, but less expensive than those contemplated in our second report.

We accordingly submitted the following:

PHILADELPHIA, November 30th, 1852.

Commissioners of the District of West Philadelphia :

GENTLEMEN—To meet the wishes of some of the members of your Board, we have prepared the following plans and estimates for supplying water to your District. These contemplate works of about the same magnitude as those mentioned in our report No. 2, but of a different character.

We would construct a reservoir near the foot of Haverford street, 150 feet long, 75 feet wide, and 10 feet deep; an engine and boiler house of stone, covered with slate roof.

Two high-pressure steam engines; bore of cylinder 15 inches; 4 feet stroke.

Two double acting lift and force-pumps, bore of cylinder 10 inches, 4 feet stroke. The engines and pumps to be arranged in the same manner as those constructed and erected by us for the Germantown Water Company. (See the accompanying drawings of the above works.)

From the pumps we would lay a 12 inch main to a tower or stand-pipe, 5 feet in diameter, and 125 feet high, to be erected somewhere in the vicinity of the Presbyterian Church, Mantua.

This arrangement, with 4,500 feet of 10 inch main, 2,000 feet of 8 inch, 6,000 feet of 6 inch, 6,000 feet of 4 inch, and 6,000 feet of 3 inch; making, in all, about 30,000 feet of main, we think will be sufficient to distribute the water to all the improved parts of the District.

With 100 fire plugs and all the necessary branches and turns, these works, as above described, could be erected and put into successful operation for \$100,000. Pipe could be laid from the tower to any point sufficiently high that may be selected for a reservoir at some future time.

Very respectfully yours,

BIRKINBINE & TROTTER.

We then submitted the following proposition for the construction of works upon the plan described in our last report.

PHILADELPHIA, December 6th, 1852.

Commissioners of the District of West Philadelphia :

GENTLEMEN—We herewith submit a proposition for the construction of Water Works for your District, as described in the third plan presented by us to your committee.

We will furnish a lot of ground, on the Schuylkill river, at the little creek, foot of Blockley street, 150 feet front on the river, and extending back 400 feet to Hutchinson street, where we will construct a reservoir 150 feet long, 75 feet wide and 10 feet deep, and wall the same with stone. In this reservoir we will construct a partition or weir of stone 7 feet high, and 25 feet from the inner extremity of the basin.

We will erect a stone engine house 30 feet front, 40 feet deep, and 14 feet ceiling ; cover it with a slate roof and surmount it with a cupola, the floor to be paved with brownstone flags. It will be lighted by 8 double windows, and be accessible by a large door in front. In the rear of this engine house we will construct a boiler house 30 feet wide, and 50 feet deep, cover it with a slate roof upon an iron frame, and surmounted with a ventilator. Access to be had to this house by two large double doors on each side, and also communicating with the engine house by a door ; the stack to be in the rear of this building, of stone, lined with brick, and 60 feet high.

We will construct and erect two high pressure steam engines, 15 inch bore and 4 feet stroke, fitted with cut-off valves.

Also two pumps, 10 inches bore and 4 feet stroke ; also 6 plain cylindrical boilers, each 36 inches in diameter and 40 feet long, with all the pipes, valves, connections necessary to complete the pumping machinery in the most perfect manner.

Also a steam engine, 6 inch bore and 12 inch stroke ; with a 36 inch fan-blower, so arranged that steam may be raised or the fires urged when necessary, in a comparatively short time. The boilers to be arranged in two distinct sets of 3 each, so that either or both engines and pumps may be worked by either or both sets of boilers.

All the above described machinery to be of the best material and workmanship ; and the buildings and machinery to be of the kind and character constructed and erected by us for the Germantown Water Co. We will construct and erect a tower or stand-pipe 3 feet in diameter, and of such height that the

water from it would flow to a reservoir on Landsdowne, if it should be required to construct one. This tower to be similar to the one constructed and erected by us for the Germantown Water Company. We will also furnish a suitable lot of ground upon which we will erect this tower.

In the engine house we will make such arrangements that the engineer can at all times determine the height of the water in the tower, and an alarm which will always give notice when the water gets too low. We will furnish and lay through such streets in the District of West Philadelphia, as the Commissioners may designate, (they being at the expense of grading any streets that it may become necessary to grade before laying the pipe, and to designate where such pipes are to be laid, so as not to retard the work,) 30,000 feet of pipe, all to be laid 3 feet under the surface of the street, and each length of pipe to be proved to a pressure of 300 feet at our own expense, and under the inspection of the committee, as follows:

| | | |
|-------|------------|----------------------|
| 5,500 | feet of 12 | inch ascending main, |
| 4,500 | “ 10 | “ pipe, |
| 2,000 | “ 8 | “ “ |
| 6,000 | “ 6 | “ “ |
| 6,000 | “ 4 | “ “ |
| 6,000 | “ 3 | “ “ |

With all the necessary branches and turns.

We will supply and put in 35 street stops, boxes, frames and covers, and 100 fire plugs with cast iron covers, in such places along the main as the Commissioners may designate. The above stops and fire plugs to be similar to those now used by the City of Philadelphia, and of the kind and character as those supplied and put in by us for the Germantown Water Company.

We will furnish all the above described works, put them in operation so that the District may be supplied with water on or before the 1st day of January 1854; also keep them in constant operation for 6 months from the time of completion at our own expense, keeping the water up in the tower at all hours of the day and night, and then deliver over to the District, the whole works in good order, and free from all incumbrances, for the sum of one hundred and fifteen thousand dollars to be paid in coupon bonds of the District, bearing 6 per cent. interest. One hundred thousand dollars to be paid as the

work progress in monthly payments, (all work and material delivered upon the ground being estimated,) and the remaining fifteen thousand dollars when the contract shall be fulfilled and the works delivered to the Commissioners in good order and free from all incumbrances.

Very respectfully yours,
BIRKINBINE & TROTTER.

The above proposition not entirely meeting the views of the Commissioners, at their request we presented the following:

PHILADELPHIA, December 11th, 1852.

Commissioners of the District of West Philadelphia:

GENTLEMEN—We herewith submit a proposition for the construction and erection of water works for your District as described in the third plan presented by us to your committee.

We will furnish a lot of ground on the Schuylkill river at the creek at Blockley and Hutchinson streets, 150 feet front on the river and extending back to Hutchinson street 430 feet, which we will grade to 6 feet above the ordinary level of the river, enclose it with a neat pale fence, lay it out, sod it, and plant the necessary trees to ornament it.

Here we will construct a reservoir 200 feet long, 75 feet wide and 10 feet deep, below the ordinary level of the river, and wall the same with stone. In this reservoir we will construct a partition or weir of stone, 7 feet high, and 25 feet from the inner extremity of the basin. We will connect the reservoir with the river, by means of a canal 10 feet wide and 3 feet depth of water, fitted with strainers and a gate, to shut out the water when the reservoir is to be cleaned. We will construct an underground sewer 5 feet in the clear, from the arch of the bridge to the river, at the south corner of the lot. (See drawing, No. 2.)

We will erect an engine house of stone 30 feet front, 40 feet deep, and 14 feet ceiling, cover it with a slate roof, and surmount it with a cupola, the floor to be paved with brown-stone flags; it will be lighted by 8 double windows and be accessible by a large door in the front.

In the rear of this engine house, we will erect a boiler house, of stone, 27 ft. wide and 52 ft. deep; cover it with a slate roof upon an iron frame, and surmount it with a ventilator and sky-light,

access to be had to this house by two large double doors on each side, and also communicating with the engine house by two doors; the stack to be in the rear of this building of stone, lined with brick, and 60 feet high. (See accompanying drawing, No. 1.)

We will construct and erect two high pressure steam engines, cylinders 15 inch bore, and 4 feet stroke of piston, fitted with cut-off valves.

Also two double-acting lift and force pumps, 10 inches bore of cylinder, and 4 feet stroke of piston, fitted with gun metal valves and packing; also six plain cylindrical boilers, each 36 inches in diameter, and 40 feet long, with all the pipes and vessels, stops and connections, necessary to complete the pumping machinery in the most perfect manner.

Also a steam engine, 6 inches bore and 12 inches stroke, with a 36 inch fan-blower, so arranged as to urge the fire that steam may be raised in a comparatively short time.

The boiler to be arranged in two distinct sets, of 3 each, so that either or both engines and pumps may be worked by either or both sets of boilers.

All the above described machinery to be of the best material and workmanship, and the buildings and machinery to be of the kind and character constructed by us for the Germantown Water Company.

We will construct and erect a tower, or stand-pipe, 5 feet in diameter, and of such height, that the water from it would flow to a reservoir on Landsdowne, if it should be required to construct one; this tower to be similar to the one constructed and erected by us for the Germantown Water Company.

We will also furnish a suitable lot of ground not less than 50 feet front, upon which we will erect this tower.

In the engine house we will make such arrangements that the engineer can at all times ascertain the height of the water in the tower, and an alarm which will always give notice when the water gets too low.

We will furnish and lay through such streets in the District of West Philadelphia, as the Commissioners may designate, (they being at the expense of grading any streets that it may become necessary to grade before laying the pipe, and to designate where such pipes are to be laid, so as not to retard the progress of the work,) 30,000 feet of pipe, all to be laid 3 feet under the surface of the street, and each length of pipe to be

proved to a pressure of 300 feet, at our own expense, and under the inspection of the Commissioners, as follows :

| | | |
|------------|---------|-----------------|
| 5,500 feet | 12 inch | ascending main, |
| 4,500 | “ 10 | “ pipe, |
| 2,000 | “ 8 | “ “ |
| 6,000 | “ 6 | “ “ |
| 6,000 | “ 4 | “ “ |
| 6,000 | “ 3 | “ “ |

With all the necessary branches and turns. We will supply and put in 35 street stops, boxes, frames and covers, and 100 fire plugs, with cast iron cases, in such places along the mains as the Commissioners may designate ; the above described stops and fire plugs to be similar to those now used by the City of Philadelphia, and of the kind and character supplied and put in by us for the Germantown Water Company.

We will furnish all the above described works, put them in operation so that the District may be supplied with water, on or before the first day of January, 1854 ; also keep them in constant operation for six months from the time of completion, at our own expense ; keeping the water up in the tower at all hours of the day and night, and then deliver over to the District the whole works in good order, and free from all incumbrances, for the sum of one hundred and fifteen thousand dollars (\$115,000,) to be paid to us in coupon bonds of the District, bearing 6 per cent. interest ; one hundred thousand dollars to be paid, as the work progresses, in monthly payments, (all work and material delivered upon the ground being estimated,) and the remaining fifteen thousand dollars when the contract shall be fulfilled and the works delivered to the Commissioners in good order, and free from all incumbrances.

We trust the above will meet your approbation.

Very respectfully yours,

BIRKINBINE & TROTTER.

Some alterations being desirable, we submitted the following supplementary proposition :

PHILADELPHIA, Dec. 21, 1852.

Commissioners of the District of West Philadelphia :

GENTLEMEN—We would ask to submit for your consideration the following proposition in addition to our last :

That if the District will, at its own expense, supply a suitable lot of ground upon which to construct the reservoir, and erect the engine and boiler houses, and also a suitable lot of ground upon which to erect the stand pipe or tower, and release us from all obligations to construct the sewer at our own expense, we will make a deduction of \$10,000 from the \$116,000, making it \$106,000, to be paid in the bonds of the District, for the whole works complete, as described in our proposition.

Very respectfully yours,

BIRKINBINE & TROTTER.

After which we made another proposition explanatory of the above, in which we offered to lease the works for ten years:

PHILADELPHIA, Dec. 26, 1852.

Commissioners of the District of West Philadelphia:

GENTLEMEN—As there was some misunderstanding in relation to our last letter, we would respectfully submit the following:

What we meant to convey by our last letter was, that if the Commissioners would find us the property and release us from the obligations of constructing the sewer, we would erect the buildings, construct the engines, and do all the work described in our proposition of the 11th inst.

If the Commissioners think it advisable, we are willing to lease the water works, when complete, from the District for a term of ten years, at a yearly rent which shall be equal to the interest upon their cost, the District to be at the expense of making any extensions to the works, if such extensions should be required. We will keep the District supplied with water at all times, keep the works in good order, and deliver them over to the District in the same condition at the expiration of the lease, giving the District satisfactory security that the conditions of the lease shall be fulfilled.

Very respectfully yours,

BIRKINBINE & TROTTER.

On the 15th of January, 1853, we entered into the following contract for constructing the works :

CONTRACT.

This agreement, made between Henry P. M. Birkinbine and Newbold H. Trotter, co-partners, trading under the firm of Birkinbine & Trotter of the first part, and the District of West Philadelphia of the second part, witnesseth : That the said parties of the first part, for and in consideration of the covenants and agreements hereinafter mentioned, to be kept and performed on the part of the said party of the second part, hereby covenant and agree that they the said parties of the first part will do and furnish as follows :

They will furnish and convey in fee simple to the said party of the second part a lot of ground on the Schuylkill river at the creek at Blockley and Hutchinson street, one hundred and fifty feet in front on the river and extending back four hundred and thirty feet more or less to Hutchinson street, which they will grade to ten feet above the ordinary level of the said river, enclose it with a neat pale fence at least six feet high, lay it out with gravel walks, sod it, and plant therein such manner and kind of trees, as the Committee on Water Works of the said District may approve and direct, to ornament the same. The title of said lot to be good and clear of all incumbrances.

In this lot they will construct and furnish all the materials for a reservoir, being in the clear 200 feet long, 75 feet wide, and 10 feet deep, below the ordinary level of the river, and wall the same with stone of sufficient thickness for its intended purposes. In this reservoir they will construct a partition or weir of stone 7 feet high, and 25 feet from the inner extremity of the basin. They will connect this reservoir with the said river by means of a canal 10 feet wide, and 3 feet depth of water in the clear ; fitted with strainers and a gate to shut out the water when the reservoir is to be cleaned. (See annexed drawing.)

They will construct an underground sewer, 5 feet in diameter, in the clear, from the arch of the bridge down Hutchinson street to Sixth street, and down Sixth street to the river.

They will construct and furnish all the materials therefor, an engine house of stone, 30 feet in front, 40 feet deep, and 14 feet ceiling, the walls to be at least 18 inches thick, with

suitable foundations; cover it with a good slate roof, and surmount it with a cupola. They will pave its floor with brown-stone flags, they will light it by 8 double windows, and make it properly accessible by a large door in the front. (See annexed drawing.)

In the rear of this engine house they will erect and furnish all the materials therefor, a boiler house of stone, the walls thereof to be at least 18 inches thick, the said boiler house to be 27 feet wide, and 52 feet deep; cover it with a good slate roof, upon an iron frame, and surmount it with a ventilator and sky-light. They will make suitable access to this house, by two large double doors on each side, and also, communication with the engine house, by two suitable doors. They will place the stack in the rear of this building, of stone, lined with brick, at least 60 feet high, or beyond that height if necessary for a good draught; and with a flue of suitable and proper dimensions and construction. (See annexed drawing.)

They will construct and furnish all the materials therefor, two high pressure steam engines, cylinders 16 inches bore, and 4 feet 6 inches stroke of piston, fitted with cut-off valves; also, two double acting lift and force pumps, 10 inches bore of cylinder, and 4 feet stroke of piston, fitted with gun metal valves and packing, the pumps to be set in cast iron box bed plates; also, 6 plain cylindrical boilers, each 36 inches in diameter, and 40 feet long, with all the pipes, air vessels, stops and connections, necessary to complete the pumping machinery in the most perfect manner; also, a steam engine, 6 inches bore, and 12 inches stroke, with a 36 inch fan-blower, so arranged as to urge the fires, so that steam may be raised when necessary in a comparatively short time. They will arrange the boilers in two distinct sets, of three each, so that either or both engines and pumps may be worked by either or both sets of boilers.

They will construct and find all the materials therefor, (on a lot to be furnished by the said party of the second part,) an ornamental tower, or stand-pipe, of suitable boiler iron, averaging $\frac{5}{16}$ of an inch in thickness, 5 feet in diameter, and of such height that the water from it would flow to a reservoir on the summit of Landsdowne, if it should be required hereafter to construct one; the said tower to have a suitable, proper and sufficient base of cut stone; the stone to be similar to that in St. James the Less church; the stand-pipe to be

painted six coats plumbago paint inside, and thoroughly outside. (See annexed drawing.)

They will make in the engine house such arrangements that the engineer can at all times ascertain the height of the water in the tower; and an alarm, which will always give notice when the water gets too low; and also, a counter attachment to each pump, showing the number of strokes of each pump, so that the quantity of water pumped may be measured.

They will furnish, and lay through such streets in the District of West Philadelphia, as the Committee on Water Works of said District may designate, (the said party of the second part, at its own expense, to grade any street that it may be necessary to fill up in grading before laying the pipe, and also to pay, should the said party of the second part not think proper to grade any street that may require to be excavated in said grading, the additional expense of placing the pipes more than three feet below the surface of the street, so as not to retard the progress of the work,) 30,000 feet of iron pipe, all to be laid, the top of the pipe three feet under the surface of the street as graded, or to be graded by Joseph Fox, Surveyor of the District, and each length of pipe to be proved to a pressure of 300 feet, at the expense of the said parties of the first part, and under the inspection of the said Committee on Water Works of said District, as follows:—

| | |
|--------|---------------------------------|
| 5,500 | feet of 12 inch ascending main, |
| 4,500 | “ 10 inch pipe, |
| 2,000 | “ 8 “ |
| 6,000 | “ 6 “ |
| 12,000 | “ 4 “ |

With all the necessary branches and turns; together with 35 street stops, with boxes, frames and covers, and 100 fire plugs, with cast-iron cases, in such places along the mains as the said Committee on Water Works of said District may designate; and together with any necessary air valves that may be found to be proper at the summits. The above described stops and fire plugs to be similar to those now used by the City of Philadelphia, and of the kind and character as those supplied and put in by them for the Germantown Water Company.

They also agree, that all the hereinbefore described work, buildings and machinery, shall be of the best workmanship and material, and that they will furnish all the above described

works, and put them in complete and successful operation, so that the District may be supplied with water on or before the first day of January, 1854. And also, that they will keep them in constant operation for six months from the time of completion, at their own expense, keeping the water up in the tower, at all hours of the day and night, not less than 80 feet in height; and then deliver over to the said parties of the second part, their successors or assigns, everything hereinbefore contracted for on the part of the said parties of the first part, in good order, and free from all incumbrances. The said parties of the first part hereby warranting each part of the work to be capable of sustaining the severest practical proof or test to which similar work is ever subjected, for the purpose of proving its sufficiency. The fire surface to be sufficient to work the engines economically. The works to be able to raise one million gallons of water per 24 hours. The drawings hereto annexed to be part of this agreement.

And the said party of the second part, for and in consideration of the covenants and agreements hereinbefore mentioned to be kept and performed on the part and behalf of the said parties of the first part, hereby covenants and agrees, for itself and successors, that the said party of the second part, and its successors, shall and will well and truly pay to the said parties of the first part the sum of one hundred and twenty thousand dollars, in coupon bonds of the said District, at par value, bearing 6 per cent. interest, and payable twenty years after date. One hundred and four thousand dollars of which to be paid as the work progresses, in monthly payments, (the work and materials to be estimated by two persons, one to be chosen by each party, and in case of their disagreeing, these two to choose a third, the majority of which three shall then decide,) and the remaining sixteen thousand dollars when the above contract on the part of the said parties shall have been fulfilled, and the works delivered to the said party of the second part, or its successors, in good order, and free from all incumbrances. It being perfectly understood and agreed between the said parties, that should the said party of the second part, or its successors, desire to pay all or any part of the above consideration money in cash, that then the said party of the second part, and its successors, shall have the right and privilege of doing so, deducting ten per cent. therefor from the said par value of said bonds.

In witness whereof, the said parties of the first part have hereunto set their hands and seals, and the said party of the second part have hereunto caused to be affixed its corporate seal, this fifteenth day of January, Anno Domini one thousand eight hundred and fifty-three, (1853.)

[Signed, sealed and properly delivered.]

On account of some difficulty about the title of the property mentioned in the above contract, we deemed it advisable to address the following communication to the Commissioners:—

PHILADELPHIA, Feb. 25th, 1853.

Commissioners of the District of West Philadelphia:

GENTLEMEN—The contractors and engineers would report, that they commenced upon the Water Works for West Philadelphia on the 24th of January, 1853, and have conducted the works with as much dispatch as the season of the year would admit of.

We have succeeded in excavating about one-half the reservoir from the lot selected by the committee in place of the one designated in the contract, to which there were objections urged by your Solicitor, on account of the title. We consider the present location far superior to the one contemplated in the contract, and think the change very advantageous to the District; the ground being higher, the works will be beyond the reach of any freshets that have ever occurred in the river.

The works will be removed so far above the objectionable drain as to be entirely out of its influence, without the construction of the expensive sewer contemplated in the contract; this will be a saving to the District. The change of location has made necessary a change in the arrangements of the buildings, &c., and in the grading of the ground.

We would recommend that the canal 20 feet wide, connecting the basin with the river, to which there are objections, be abandoned, and a 16 inch cast iron pipe, furnished with a stop cock, be substituted in its place. This will entirely cut off the communication with the river in time of freshet.

The above changes will be no additional expense to the District.

We herewith submit drawings of the proposed changes, which we hope will meet with your approval. The deed, searches, &c., of the property, are in the hands of your Solicitor, to pay for which we will require \$9,000 cash. The work executed to the 24th inst., being principally excavating, amounts to \$2,000, making, with the above, \$11,000, which we hope you will pay to us, in eleven bonds of \$1,000 each.

We hope the above will be satisfactory, and meet with your approval.

Very respectfully yours,

BIRKINBINE & TROTTER.

Urging upon the committee the importance of locating the stand-pipe, we addressed the following:

PHILADELPHIA, March 11th, 1854.

Committee on Water Works, West Philadelphia:

GENTLEMEN—We are now receiving the pipes for the water works, and hope that you will determine upon the location of the same as early as possible. We are ready to lay them at once.

We are also ready to commence the foundations of the stand-pipe, and hope there will be no delay in locating it. An early action upon the above will much oblige,

Yours, very respectfully,

BIRKINBINE TROTTER.

On the 17th of March, 1853, the following addition was made to the contract in accordance with the alterations and changes proposed:

It is hereby agreed between the Committee on Water Works of the District of West Philadelphia, for and in behalf of said District of the one part, and Henry P. M. Birkinbine & Newbold H. Trotter, co-partners, under the firm of Birkinbine & Trotter, that the hereunto annexed contract shall be modified and changed as follows:

First—The title to the lot of ground mentioned in said hereunto annexed contract, and to be furnished as therein mentioned by said Birkinbine & Trotter, having been found objectionable, the location and dimensions of the same are hereby changed to a lot recently conveyed by Benjamin H. Yarnall and others to said Henry P. M. Birkinbine & Newbold H. Trotter, and by them conveyed to the said District, the deeds therefor being now in the hands of the Solicitor of this District.

Second—The grading of said lot is to be sixteen feet above

the ordinary level of the river, to be done by said Birkinbine & Trotter, instead of ten feet, as mentioned in the said hereunto annexed contract.

Third—Instead of a canal and gate, as mentioned in said hereunto annexed contract, the said Birkinbine & Trotter are to furnish and lay a 16 inch main iron pipe, leading from the river into the reservoir, to supply the same, and a stop cock furnished with brass faces. (See additional plan marked A, annexed to this agreement for modification and change.)

Fourth—In consequence of the change in the location of the said lot, the construction of the sewer as mentioned in said hereunto annexed contract is unnecessary; and, in lieu thereof, said Birkinbine & Trotter agree to furnish 2,000 additional feet of 6 inch iron pipe, and lay the same, and to set three additional fire plugs; and they also agree that the 30,000 feet of pipe mentioned in hereunto annexed contract, as well as said 2,000 additional feet, shall be measured as laid in the ground, without allowance for laps or cutting.

Fifth—In order to make a better appearance, the boiler house, as mentioned in said hereunto annexed contract, shall be changed so that instead of the boiler house being in the rear of the engine house, there shall be two boiler houses, one on each side of the engine house, each 50 feet deep, and 12 feet 4 inches wide. The engine house shall be accessible by two large doors in the rear, in lieu of the manner mentioned in said hereunto annexed contract, with 12 single windows, in place of 8 double ones. To each boiler-house there shall be two large doors and a ventilator, and two single windows, in place of the sky-light, and one door to each boiler house communicating with the engine house; the stack to be in the rear of the engine house. (See plan marked B, annexed to this agreement.)

Witness our hands this seventeenth day of March, 1853.

Signed,

B. R. MILLER,
R. BICKNELL,
C. C. PEIRSON,
J. SIDNEY KEEN,
ROBERT L. MARTIN,

} Committee
on
Water Works.

Signed,

HENRY P. M. BIRKINBINE,
NEWBOLD H. TROTTER.

We pressed the work with energy and dispatch, and constantly urged upon the committee the importance of their pre-

paring the way for its early completion, as the following communication will show :

PHILADELPHIA, March 22d, 1854.

Committee on Water Works, West Philadelphia :

GENTLEMEN—We would again call your attention to the necessity of determining early upon the location of the stand-pipe, the stone of which we are to build the tower, and also to designate in which streets the pipe is to be laid, and the position of the fire plugs.

If delayed in these matters much longer, it will be impossible for us to complete our contract within the time specified. Your earliest attention to the above will much oblige,

Yours, very respectfully, BIRKINBINE & TROTTER.

—
PHILADELPHIA, April 4th, 1853.

President and Board of Commissioners of the District of West Philadelphia :

GENTLEMEN—Since our last report, we have pushed the work upon the subsiding reservoirs as rapidly as circumstances would permit. We have constructed a stone wall along the river front 4 feet thick and 10 feet high, and have raised the tow-path, and extended it 7 feet into the river. We have also erected a steam-engine and pump for draining the reservoir while in course of construction, and constructed a stone tunnel leading from the river to where the 16 inch main is to commence, through which the reservoir is to be supplied with water from the river. We have also delivered upon Harding's wharf, and at the works, 3,600 feet 4 inch pipe, 1,242 feet of 10 inch pipe, 3,510 feet of 12 inch pipe, and 27 feet of 16 inch pipe, and 16 cwt. 1 qr. 25 lbs. of branches, which we are waiting for directions from you to lay in the ground.

We are now waiting for you to decide upon the location of the stand-pipe and the fire plugs, and also for you to designate in which streets you wish the pipe laid. The work is now being delayed for want of the above information, and we hope your early attention will be called to it.

Accompanying this, you will please find drawings of one of the engines and pumps, both of which are rapidly progressing, and will be done by the 1st of June.

The following is a statement of the expenses from February 26th, viz :

| | |
|------------------------------------|-------------|
| Mason work, | \$270 50 |
| Wages and expenses upon reservoir, | 2,626 22 |
| Pipe and branches, | 8,544 53 |
| | <hr/> |
| | \$11,441 25 |

An early payment of which amount will much oblige,
Yours, respectfully, BIRKINBINE & TROTTER.

PHILADELPHIA, April 28th, 1853.

President and Board of Commissioners of the District of West Philadelphia :

GENTLEMEN—The work upon the subsiding reservoir has been rapidly progressing. It is the only work that we have been able to undertake, on account of our not having the requisite directions for the other work from your Board.

The pumping machinery, street stops, and fire plugs are also rapidly progressing, and will all be completed on or before the 1st of June next.

Most of the fire plugs and street stops are already completed, and the iron work for the stand-pipe has been commenced.

We would again urge upon you the importance of an early decision upon the locations of the stand-pipe and mains.

Since our last report, we have delivered upon the wharf at West Philadelphia 1,350 feet of 12 inch pipe, and have removed from the same 1,242 feet of 10 inch pipe, which will be replaced in the course of a week or ten days. The following is a statement of the expenses since our last report, viz :

| | |
|----------------------------------|-------------|
| Account rendered April 4th, | \$11,441 25 |
| 1,350 feet 12 inch pipe, | 2,025 00 |
| Wages and expenses on reservoir, | 1,428 85 |
| | <hr/> |
| | 14,895 10 |
| 10 inch pipe removed, | 1,552 50 |
| | <hr/> |
| | \$13,342 60 |

We trust the above will be satisfactory, and meet your early attention and action. Very respectfully yours,

BIRKINBINE & TROTTER.

PHILADELPHIA, June 6th, 1853.

President and Board of Commissioners of the District of West Philadelphia :

GENTLEMEN—The work upon the reservoir has been driven with as much rapidity and dispatch as the nature of the rock will admit of. The 12 inch main has been laid from the works along Sixth street to Haverford street. The masons are now at work upon the engine and boiler houses. Stone and sand have been deposited upon the site for the stand-pipe, and we are ready to commence the foundations for the same. The boilers will be delivered upon the ground the present week, and the pumping machinery will be ready to put up as soon as the buildings and foundations can be prepared. The following is a statement of our expenses since our last report :

| | |
|--|------------|
| Wages and sundry exp. including lead gasket, | \$3,929 76 |
| 648 feet 12 inch pipe, 450 feet 8 inch pipe, | } 5,023 37 |
| 2,925 " 6 " " 1,962 " 4 " " | |
| 90 " 3 " " with branches and turns, | |
| 1 16 in. stop, 3 12 in. stops, 1 6 in. stop, | } 595 00 |
| 3 4 " " 5 fire plugs and cases, | |
| | \$9,548 13 |

Very respectfully yours,

BIRKINBINE & TROTTER.

PHILADELPHIA, June 27th, 1853.

President and Board of Commissioners of the District of West Philadelphia :

GENTLEMEN—The masons are at work upon the engine and boiler houses, which will be under roof before the next estimate day. The excavations for the reservoir will be completed about the same time.

We have commenced work upon the stand-pipe, and the excavations are now being made for its foundations.

We have laid the 12 inch main along Bridge street from Sixth to Tenth street, and the 4 inch pipe along Haverford street from Fourth to Eighth street, and along Seventh street from Haverford to Bridge street. We are now laying the 6 inch pipe along Bridge street from Sixth to Third street. We have also set up 10 fire plugs and cases.

We would urge upon the committee the necessity of locating the balance of the mains, as we shall have all laid this week for which we have directions.

The amount of 8 inch main which we are to lay, according to our contract, will reach from Sixth and Bridge streets, along Sixth street to the Lancaster road. We think, if it was continued along to Washington street, it would greatly facilitate the distribution of the water through the lower parts of the District. The following is a statement of the expenses since our last report :

| | |
|---|------------|
| Wages, sundry expenses, and including lead and gasket, - - - - - | \$3,083 97 |
| 20 feet 12 inch pipe, } 684 " 8 " " } 783 " 6 " " } 1,350 " 4 " " } 1,917 " 3 " " } | 2,989 04 |
| Branches and turns, 1 8 inch stop, 10 fire plugs, - - - | 295 00 |
| 6 boilers, - - - - - | 2,822 80 |
| | <hr/> |
| | \$9,190 81 |

As our expenses and payments are very heavy, we would urge upon the Commissioners the necessity of a prompt settlement of our account.

Very respectfully yours,

BIRKINBINE & TROTTER.

—
PHILADELPHIA, July 1st, 1853.

President and Board of Commissioners of the District of West Philadelphia:

GENTLEMEN—At the suggestion of Mr. C. C. Peirson, the Chairman of your Watering Committee, we have brought our estimate to the 1st inst., instead of the 26th day of the month as heretofore, which we hope will meet your approbation.

If the plan of laying the principal main along Tenth street is to be abandoned, we would recommend extending the 12 inch main from Bridge street along the Lancaster road to

Cedar street. This would require about 150 feet more 12 inch main than is contracted for.

The 10 inch main along Cedar street to Market street, along Market street to William street, and along William street to Spruce street. This would require 150 feet more 10 inch pipe than is contracted for. We would also recommend the extension of the 8 inch main from Sixth street and Lancaster road along the Lancaster road to Market street. This would require 1600 more feet of 8 inch main than is contracted for. When the works are extended, as to need reservoirs, by laying a 16 inch main from the same to the Lancaster road and Cedar street, you would be enabled to distribute the whole amount brought by the 16 inch main, without laying any additional larger mains. The 8 inch main will bring down a full head of water for two 6 inch mains, which will branch into it at Market street and Lancaster road.

The above additional pipe will cost, with branches, &c., \$3,530 00, if paid for in the same manner as our contract.

We think the above arrangement will increase the facilities of the works in a far greater ratio than the increased cost.

Mr. Fox, the District Surveyor, informs us that the lot upon which the stand-pipe is to be erected, is but $83\frac{7}{10}$ feet above the dam, which is 17 feet lower than the higher parts of the District. We would recommend to you the raising of the foundations of the stand-pipe 10 feet above the centre of the lot, which will bring the base of the tower on a level with Sycamore street, and also the addition of 6 feet to the height of the stand-pipe. This will give a head of 17 feet upon the highest parts of Landsdowne, and will enable the District, if they should desire it, to raise their reservoir from 8 to 10 feet above the surface of the ground. As we are now at work upon the stand-pipe, we would urge the importance of early action upon these suggestions, should they meet your approbation.

The following is a statement of our expenses since our last communication :

| | | | | | | |
|---|---|---|---|---|---|------------|
| To amount, as per communication of 27th ult., | - | - | - | - | - | \$9,190 81 |
| Branches and turns, | - | - | - | - | - | 19 56 |
| Two 6 inch stops, | - | - | - | - | - | 70 00 |
| Sundries, | - | - | - | - | - | 6 42 |
| | | | | | | \$9,286 79 |

Hoping that a prompt settlement of the above will be the result of your early action, we remain,

Very respectfully yours,

BIRKINBINE & TROTTER.

—

After we had the boilers set in their places, and walled in, and were about putting up the engines and pumps, the committee then having charge, thought the works, as they were being constructed, would be too small, and not of sufficient capacity to meet the increasing wants of the District, and that the expense of pumping by high pressure engines would be too great. In answer to questions put to us upon this subject, we made the following reply :

PHILADELPHIA, July 19, 1853.

Commissioners of the District of West Philadelphia :

GENTLEMEN—Agreeable to your request made of us a few days ago, we send you the following reply :

It will cost very little more to raise 1,000,000 gallons of water by present pumping arrangement, than it will to raise 500,000 gallons, as the steam must be kept up to its working pressure all the time, and if not worked off, will be wasted.

We think the consumption of fuel of the present engines may be set down at about three tons of coal per day, if not forced above their ordinary capacity. In Cornish engines of the same capacity, the saving of fuel would be about 33 per cent. And if they are worked to their estimated capacity, (1,000,000 gallons per day,) the saving would be much greater.

There are great difficulties in making a reliable estimate upon this subject, as the proper estimate cannot be formed of the amount of water required. But we think we may safely assure you, that the saving of the fuel will be more than the interest of the difference of the cost of the two engines ; the first cost of the Cornish engines of the same capacity being about double the high pressure engines.

For our views upon this subject, we would refer you to our second communication addressed to your Board, dated November 17, 1852, pages 4 to 8.

We have measured the distance from the Lancaster turn-

pike to Washington street, and find it to be 2,179 feet. It will require that amount of additional pipe. An early decision, as regards the pipe, will very much oblige,

Yours, respectfully,

BIRKINBINE & TROTTER.

—
PHILADELPHIA, July 30, 1853.

C. C. Peirson, Chairman of Committee on Water Works :

We have procured a statement of the amount of water pumped by the high pressure and by the condensing engines at the Kensington Water Works, from which we make the following deductions :

We make the "duty," or number of pounds of water raised one foot high, by the consumption of 100 lbs. of anthracite coal, (allowing fifteen feet to overcome friction in ascending main :)

| HIGH PRESSURE ENGINE. | CONDENSING ENGINE. |
|-------------------------|--------------------------|
| 9,080,586 lbs. | 22,090,246 lbs. |
| 8,657,513 " | 21,587,144 " |
| 11,296,551 " | 21,446,387 " |
| <u>3)29,034,650 "</u> | <u>3,65,123,777 "</u> |
| Average, 9,678,216 lbs. | Average, 21,787,925 lbs. |

Taking the average of the three months as a basis, the expenses of raising five hundred thousand gallons of water 225 feet high, (allowance being made for friction of ascending main,) and taking coal at \$4 50 per gross ton, would be for the high pressure engines \$22 59 per day, and for the condensing engines \$10 35 per day. The saving in the use of the condensing engine would be \$4,434 75 per annum, in fuel alone. A much greater saving in fuel than the above can be made by using Cornish pumping engines.

Very respectfully yours,

BIRKINBINE & TROTTER.

We were now ordered to shorten the basin thirty-five feet, making it 165 feet long, and to deepen it six feet, making it sixteen feet deep, which we immediately commenced.

PHILADELPHIA, August 1st, 1853.

Commissioners of the District of West Philadelphia :

GENTLEMEN—We have commenced deepening the subsiding reservoir, as directed by the committee, and have extended the twelve inch main from Tenth and Bridge streets, along the Lancaster road to Cedar street, where we inserted a sixteen inch branch. We are now laying the twelve inch branch along Cedar street to Washington street. The foundations for the stand-pipe will be ready to receive the pipe in a few days. We have done very little to the engine house, on account of having to take down about two hundred and fifty perch of stone, to procure a secure foundation, but we are now ready to commence upon it again. The following is a statement of the actual expenses for month ending yesterday :—

| | |
|---|-------------|
| Wages, - - - - - | \$2,269 98 |
| 1,044 feet 12 inch pipe, 2,288 feet 10 inch pipe, } 945 " 8 " " branch and turn, } | 5,931 50 |
| Sundries, including lead, &c., - - - | 802 52 |
| 15 fire plugs and cases, 7 six inch stops, - | 620 00 |
| Tower, - - - - - | 285 68 |
| Engine and boiler houses, - - - - | 268 69 |
| | <hr/> |
| | \$10,178 37 |

We trust the above will meet your approbation, and hope you will give your earliest action upon it.

Very respectfully yours,
BIRKINBINE & TROTTER.

The deepening of the reservoir was attended with a great amount of expense and delay, on account of the peculiar character of the rock, and its being saturated with water, making it necessary to make almost all our blast under water.

The committee, after carefully investigating the subject, thought advisable to abandon the engines and pumps we had constructed, and replace them with Cornish engines, similar to those proposed in our first report. We made the following proposition for changing the engines, which was accepted :—

PHILADELPHIA, August 12, 1853.

Committee on Water Works, West Philadelphia :

GENTLEMEN—We will construct and erect, in the place of the two steam engines and pumps already contracted for, two Cornish pumping engines, steam cylinders, each fifty inches bore and eight feet stroke, surrounded by steam jacket, enclosed in walnut casing, secured by metallic bands. Two pumps, each seventeen inches bore and eight feet stroke, placed immediately under the steam cylinders, and fitted with double vent metallic valves, and the necessary condensing apparatus; air pumps, feed pumps, and all the appurtenances necessary to make the pumping machinery complete; also, four Cornish boilers, each six feet diameter and thirty-two feet long, with an internal flue four feet in diameter; all the grate bars, fire-doors, dampers, steam pipes, stop valves, &c., necessary to complete and put in successful operation the above described engines and pumps.

We will also keep the same in operation for one year from the date of completion, and guarantee a duty of forty millions pounds of water raised one foot high by one cwt. of coal, for the additional sum of \$25,000, to be paid to us in cash, as follows:—\$10,000 upon the closing of this contract; \$8,000 when we commence putting up the engines, and the balance, \$7,000, when they are put up and in operation.

The necessary alterations in the building and foundations to be at the expense of the District.

Very respectfully yours,

BIRKINBINE & TROTTER.

—
We had been ordered to lay a large amount of pipe not specified in our contract. We made the following proposition for laying all the pipe that might be found necessary over and above the contract, which was accepted:

PHILADELPHIA, August 20, 1853.

Commissioners of the District of West Philadelphia :

GENTLEMEN—We will lay the following sizes of pipe in West Philadelphia, at the prices annexed; the pipe to be measured in the ground, without any extra allowance for branches and turns, viz:—

| | | |
|-----------------|--------|-----------|
| 20 inch pipe at | \$6 00 | per foot, |
| 16 " " " | 4 00 | " " |
| 12 " " " | 2 50 | " " |
| 10 " " " | 2 10 | " " |
| 8 " " " | 1 75 | " " |
| 6 " " " | 1 25 | " " |

We will also supply and put up fire plugs at \$50 each.

Very respectfully yours, BIRKINBINE & TROTTER.

—

We immediately commenced the Cornish engines, as you will see by the following reports:—

PHILADELPHIA, Sept. 5, 1853.

Commissioners of the District of West Philadelphia:

GENTLEMEN—On account of the depth of the reservoir at West Philadelphia Water Works, and the difficulty of getting out the earth and stone by means of horses, we have found it necessary to erect a steam hoisting apparatus, which will be in operation this week, and greatly facilitate the deepening of the reservoir.

A six inch main has been laid along the Lancaster road from Haverford street, to within a short distance of the District line.

A twelve inch main has been extended along Cedar lane to within a short distance of Washington street.

We have commenced laying a ten inch main from Bridge-water street along Washington street to Lancaster road.

The large Cornish engines have been commenced, and will be constructed with as much dispatch as possible.

The following is a statement of our expenses for the month of August:—

| | |
|--|------------|
| Wages, - - - - - | \$1,923 33 |
| 1,033 feet 12 inch pipe, } - - - | 7,077 74 |
| 2,961 " 10 " " " } - - - | |
| 360 " 8 " " " } - - - | |
| 1,800 " 4 " " " } - - - | |
| Branches, turns, | |
| Sundries, including lead, &c., - - - | \$79 88 |
| 1 eight inch stop, 1 ten inch stop, 1 fire plug, | 300 00 |
| Tower, - - - - - | 81 44 |

\$10,262 39

We trust the above will meet your early and prompt attention and action.

Very respectfully yours,
BIRKINBINE & TROTTER.

We would also call your attention to the payment of \$10,000 on account of the new engine.

Very respectfully,
BIRKINBINE & TROTTER.

—
PHILADELPHIA, Oct. 3, 1853.

Commissioners of the District of West Philadelphia:

GENTLEMEN—We would submit for your consideration the following report of the progress of the work upon the Water Works at West Philadelphia, during the month of September.

A six inch main has been extended along the Lancaster pike to the District line.

A six inch main has been laid along the Falls road to within a short distance of the railroad.

An eight inch main has been laid along the Lancaster pike from Sixth street to Market street, and connected to the ten inch main at Market street.

A ten inch main has been extended along Market street to Parke street, where we are stopped on account of grading the street.

A twelve inch main has been extended along Cedar lane to Market street, and we are now laying a ten inch main in Market street west of Till street.

The stand-pipe is upon the ground and ready to be raised. We are now rigging it for the purpose, and contemplate raising the coming week.

The steam hoisting apparatus at the reservoir operates very satisfactorily, enabling us to remove the stone and dirt much more rapidly than by horse, as heretofore.

The work upon the Cornish engines progresses as rapidly as possible.

The following is a statement of our expenses for the month of September, viz. :—

| | |
|--|----------------|
| Wages, - - - - | \$3,393 04 |
| 594 feet 12 inch pipe, } 1,260 " 10 " } 2,763 " 8 " } 3,024 " 6 " } | - - - 9,470 81 |
| Branches, turns, etc., } | |
| Lead, gasket and sundries included, - | 1,224 60 |
| Engine and boiler house, - - | 51 00 |
| Stops $\frac{1}{2}$ in., $\frac{2}{10}$ in., $\frac{1}{8}$ in., $\frac{1}{6}$ in., } 13 fire plugs, } | - - 580 00 |
| Stand-pipe, 112 48 } 2,579 85 } | - - 2,692 33 |
| | <hr/> |
| | \$17,411 78 |

We hope you will act upon the above this evening, as also upon the \$10,000 upon the Cornish engines.

Very respectfully yours,

BIRKINBINE & TROTTER.

PHILADELPHIA, Nov. 7, 1853.

Commissioners of the District of West Philadelphia :

GENTLEMEN—We would submit for your consideration the following report of the progress of the work upon the Water Works at West Philadelphia during the month of October.

We have finished laying the main along Market street. We have laid the 8 inch main along Chestnut street, from Till to Margaretta street.

A 6 inch main along William street to Pratt street, and along Pratt to Till street. We are now extending the 12 inch main along Till street south of Market street. We are also laying the 20 inch main to connect the reservoir with the river.

We are at work upon the foundations of the engines and engine house.

The stand-pipe has been raised upon its base, and the mason work around it constructed.

The following is a statement of our expenses for the month of October :

| | |
|--|-------------------|
| Wages, - - - - | \$2,830 49 |
| 81 feet 20 inch pipe, } 918 " 16 " } 855 " 12 " } 1,017 " 10 " } 1,566 " 8 " } 3,825 " 6 " } 2,754 " 4 " } | - - - - 12,497 62 |
| Branches, turns, etc., | |
| Lead and Sundries, - - - - | 1,240 56 |
| Engine and boiler houses, - - - - | 141 64 |
| Stand-pipe, - - - - | 813 94 |
| Stops $\frac{1}{10}$ in., $\frac{2}{15}$ in., $\frac{2}{10}$ in., $\frac{3}{8}$ in., } 9 fire plugs and cases, } | - - - - 740 00 |
| | <hr/> \$18,264 25 |

We would also call your attention to our statement for September, which has not yet been paid.

Very respectfully yours,
BIRKINBINE & TROTTER.

PHILADELPHIA, December 5th, 1853.

Commissioners of the District of West Philadelphia :

GENTLEMEN—We would submit for your consideration the following report of progress at the West Philadelphia Water Works.

We are building the stone work around the stand-pipe as rapidly as the weather will permit us. A large portion of the cast-iron work for the same has been and is now being delivered upon the ground.

The foundations for the engines will be ready to receive the machinery in a few days, if we have favorable weather.

We have laid an 8 inch main in Chestnut street, a 10 inch main in Walnut street, and are now laying an 8 inch main in Locust street.

We have connected with the gas main at Eighth and Bridge streets; also laid a 4 inch gas main along Bridge street to the Lancaster pike, and along the Lancaster pike to Linden street; also along Haverford street from Lancaster pike to Tenth street.

The following is a statement of our monthly expenses to date, viz:

| | | |
|---|---|-------------|
| 1,098 feet 16 inch pipe | } | |
| 261 " 12 " | | |
| 3,008 " 10 " | | \$16,392 69 |
| 5,112 " 8 " | | |
| 1,764 " 6 " | | |
| Branches, turns, &c., | | |
| Wages, - - - - - | | 4,281 95 |
| Engine and boiler-houses (including wages on same,) | | 1,497 42 |
| Stand-pipe, - - - - - | | 501 62 |
| Stops, 1 4 in., 1 6 in., 7 8 in., 3 10 in 2 12 in., | } | 1,220 00 |
| 22 fire plugs | | |
| Lead, - - - - - | | 1,548 00 |
| Sundries, including cement, - - - - - | | 665 57 |
| | | <hr/> |
| | | \$26,108 08 |

We would also call your attention to our former estimate of \$18,264 25, as yet unpaid, and hope it will meet with your prompt action.

Very truly yours,

BIRKINBINE & TROTTER.

From the above communications, you will see that no time was lost, and that the works were pressed with energy and dispatch, notwithstanding the inclemency of the weather, and the delays in the receipts of the payments of our statements of expenses. On account of there having been no appraisement of our work, and the amount due us by the District becoming large, we found it necessary to address the following letter. We had been at work nearly a year, and there having been no official examination of our account, we felt anxious that one should be made.

PHILADELPHIA, December 31st, 1853.

C. C. Peirson, Chairman of Committee on Water Works, West Philadelphia :

We have been diligently at work, both day and night, since our last interview with you, in bringing up our accounts on the West Philadelphia Water Works for your consideration.

Owing to the weather and great press of business, we have not been able to complete them so as to lay before you this afternoon. It would oblige us *very much indeed* if you can have a committee to examine them, appointed to meet us some time next week ; Thursday afternoon would suit us. We are very anxious to have the matter examined, and as far as possible, closed, as we think an early settlement will be an advantage to both parties. Please answer by bearer.

Very truly yours,

BIRKINBINE & TROTTER.

The weather, which set in with unusual severity at this time, retarded our progress greatly, as will be seen by the following communication :

PHILADELPHIA, January 2, 1854.

Commissioners of the District of West Philadelphia :

GENTLEMEN—We would submit for your consideration the following report of progress of the Water Works at West Philadelphia :

The foundations for the pumping machinery are now ready to receive the bed plates of the pumps, the excavations for the boilers are completed, and the wall on the south side of the reservoir nearly finished. Our operations upon the above are now retarded, owing to the severity of the weather. The water pipes are extended along Till street to the Baltimore road, and along Spruce street to William ; also, along Locust and Walnut streets to the Darby road, and along Parke street from Locust to Washington street. The four inch pipe for gas has been extended along the Lancaster pike to Westminster street, along Haverford street from Sixth to Eighth street, and along Sixth street to Sycamore street.

The following is a statement of our expenses for the month of December, 1853 :

| | |
|--|-------------|
| 2,601 feet 8 inch pipe, } | |
| 2,133 " 4 " " } | |
| 1,008 " 3 " " } | \$4,935 87 |
| Branches and turns, } | |
| Wages, (inc. carpenter work on engine house,) - - - - - | 3,716 34 |
| Lumber, stone, &c., - - - - - | 327 78 |
| Stand-pipe, - - - - - | 458 69 |
| Stops, 2 20 inch, 1 12 inch, 2 10 inch, } 2 8 inch, 3 6 inch, and 16 fire } plugs, | 1,120 00 |
| | <hr/> |
| | \$10,558 68 |

Very respectfully yours,

BIRKINBINE & TROTTER.

PHILADELPHIA, February 6, 1854.

Commissioners of the District of West Philadelphia :

GENTLEMEN—Owing to the severity of the weather, we have not been able to make much progress either upon the reservoir or tower, although considerable material has been delivered at the latter place. We have received orders to stop the laying of pipes. Preparations are being made to commence the work out door as early as the weather will admit. The engines are progressing as rapidly as possible, and will be ready when the foundations for the same are completed. One of the large boilers has been delivered upon the ground, and the others are in course of construction.

The following is a statement of our expenses for the last month, to the prompt payment of which, together with those previously submitted, and still unpaid, we hope to call your attention, assuring you that it is very important to enable us

to continue the work, and prosecute it with energy; and dispatch.

| | |
|--|------------|
| Work on tower, - - - - - | \$583 57 |
| Street stops, fire plugs, &c. delivered, | 325 00 |
| Sundries, - - - - - | 216 55 |
| | <hr/> |
| | 1,125 12 |
| Bill accompanying, - - - - - | 5,218 11 |
| | <hr/> |
| | \$6,343 23 |

Hoping the above will meet your attention, we are,

Very truly yours,

BIRKINBINE & TROTTER.

—
PHILADELPHIA, March 6, 1854.

Commissioners of the District of West Philadelphia.

GENTLEMEN—Having almost suspended our operations at the works, we have but little to communicate. The material for the tower has been delivered, and as soon as the weather will permit of our masons working upon the base, the ornamental work will be put up. The new inlet pipe at the reservoir has been put in, and some preparations have been made at the engine house, for the large boilers. We are progressing with the Cornish engines, and will be ready to commence putting them up the latter part of the present month. The following is a statement of our expenses for the past month, viz:

| | |
|-------------------------------|----------|
| Tower, - - - - - | \$420 37 |
| Fire plugs, - - - - - | 170 00 |
| Sundries, - - - - - | 125 57 |
| | <hr/> |
| | 715 94 |
| Bills accompanying, - - - - - | 277 47 |
| | <hr/> |
| | \$993 41 |

Your attention is also earnestly requested to the settlement of our last account, amounting to \$6,343 23.

Very truly yours,

BIRKINBINE & TROTTER.

The following letter contains an account of the chimney which fell down; upon more deliberate thought upon the subject, we think the blasting of rock, immediately along side of it for the boilers of the Cornish engines, was the cause of its falling:

PHILADELPHIA, March 11, 1854. }

Committee on Water Works, District of West Philadelphia:

C. C. PEIRSON, Chairman—*Dear sir:* We have the unwelcome intelligence to convey, that during last night the stack at the West Philadelphia Water Works, fell entirely down. This stack, was first built 60 feet high, as per the original contract; it was afterwards raised 10 feet higher at the expense of the District, and when the contract was changed, and it became necessary to make preparations for the Cornish boilers, it was again found necessary to raise the chimney; 18 feet was again added to it, making the whole chimney 88 feet high, which was the utmost it was thought the foundations could sustain, being originally constructed for a chimney 60 feet high, although it was thought desirable to have the chimney 100 feet high; this addition of 28 feet, cost the district \$270 00. The weight of the chimney, and the long continued wet weather, has proved too much for the foundations; which was crushed, and the whole chimney entirely demolished.

We would ask permission to construct, at the expense of the District, in the place of this, another chimney; which shall be 40 inches in the clear, and 120 feet high, it requiring a chimney of so much greater altitude, since the gas, instead of having to travel 40 feet horizontally, as in the plain boilers, originally contemplated, will have to travel 96 feet in the boilers now being introduced.

We think, that true economy will be found, in having such a chimney, as above mentioned.

We hope the earliest attention and action will be given to the above, as we are very anxious to complete the works at an early date.

Very truly yours,
BIRKINBINE & TROTTER.

As soon as the weather would permit, we recommenced mason work, as will be seen by the following report:

PHILADELPHIA, March 28, 1854.

Commissioners of the District of West Philadelphia:

GENTLEMEN—Since our last report, we have commenced the mason work upon the stand-pipe, and upon the foundations for the Cornish engines. We have also commenced erecting the engines; the bed plates for the pumps, are now in their places, and the machinery will be put up as rapidly as the mason work will allow. The stand-pipe castings are almost all made, fitted and upon the ground, ready to be put in place as soon as the weather will permit us to finish the mason work. We should like to be permitted again to commence laying pipe, so that we can finish the work at an early date.

As there has never been a regular estimate upon the work since we have been engaged upon it, we would request that an estimate now be made to date, as per contract.

The following is our statement of expenses for March.

| | |
|--|------------|
| Sundries, - - - - - | \$18 27 |
| Stand-pipe, - - - - - | 256 00 |
| | <hr/> |
| | 274 27 |
| Bills accompanying, - - - - - | 1,124 51 |
| | <hr/> |
| | 1,398 78 |
| Second payment upon Cornish engines now due, as per contract, - - - | 8,000 00 |
| | <hr/> |
| | \$9,398 78 |

Hoping your earliest attention and action will be given to the above, we are,

Very truly yours,
BIRKINBINE & TROTTER.

No action was taken upon either of our requests for a settlement of accounts, which, considering the great amount of work, was necessary for the interest of the District, as well as our own.

PHILADELPHIA, May 1, 1854.

Commissioners of the District of West Philadelphia :

GENTLEMEN—The work upon the water works has been pressed with as much energy as possible, during the past month.

The foundations for the engine house are progressing, and the work commenced upon the sustaining wall, on the south side of the basin.

The foundations for the boilers are all prepared ; one of the boilers is in its place, and another is about being lowered to its proper position. The castings connected with the boilers, are all upon the ground. The work upon the engine is progressing as rapidly as possible. The stone work around the stand-pipe is completed, and the iron work now being put up. We have also commenced laying the 16 inch main. The following, is the statement for the month of April :

| | |
|-------------------------------|-------------|
| Stand-pipe, - - - - - | \$2,800 59 |
| Sundries, - - - - - | 52 43 |
| Bill accompanying, - - - - - | 3,721 83 |
| Engine payment due, - - - - - | 8,000 00 |
| | <hr/> |
| | \$14,574 85 |

On account of ten per cent. having been withheld from our cash expenditures, and as there has never been a regular estimate of work done, and material furnished, the District has become so largely indebted to us, that we are actually compelled to urge the necessity of an immediate settlement, to enable us to proceed with the work, which we are anxious to complete as early as possible.

We hope the above will meet with your earliest attention and prompt action.

Very truly yours,

BIRKINBINE & TROTTER.

PHILADELPHIA, June 7, 1854.

Commissioners of the District of West Philadelphia :

GENTLEMEN—The work upon the foundations of the engines and engine house has been progressing. Two of the large boilers are now in their proper positions and walled in, and the third is now being put in its place.

One of the steam cylinders is now on the ground, and we are working upon the engines with as much dispatch as possible.

The 16 inch main to connect the pumps with the stand-pipe is now being laid.

The work progresses upon the stand-pipe, and we wish to call your attention to the grading of the lot around the same.

Opposition has been made by Messrs. Lacie & Co., and W. H. Keen to our laying the pipe in front of their ice houses, through their lots.

We have laid our accounts before the appraisers which will be duly reported to you.

Very truly,
BIRKINBINE & TROTTER.

After a great deal of trouble we succeeded in getting the Commissioners to appoint an appraiser to meet the one appointed by us, who, upon the 15th of May, made their first report.

When the Commissioners of the District of West Philadelphia were out of power, we addressed the following communication to the Select and Common Councils :

PHILADELPHIA, July 13th, 1854.

To the Select and Common Councils of the City of Philadelphia :

GENTLEMEN—Since our last report of June 7th, 1854, to the Commissioners of the District of West Philadelphia, we have been steadily progressing with the work upon the water works in the 24th Ward, but not with the rapidity we think desirable, either for the interests of the City or ourselves.

We are now erecting the pumping engines; one will be ready as soon as the foundations can be prepared, the other soon after.

We are now laying the 16 inch main, connecting the pumping machinery with the stand-pipe. We cannot complete the laying of the above main until some arrangements are made with the property holders along Sixth street, beyond Hutton street, and until the creek is culverted, and Sixth street filled up.

The excavations for the reservoir are completed, with the exception of that for the foundations of the east wall; we have completed the stand-pipe as far the platform, which is now being put up; the castings for same being upon the ground.

We would ask permission to lay a 20 inch main from the pumping machinery at least as far as Sixth street, in place of the 16 inch main ordered, which we think will be a great advantage to the pumping machinery; and also to lay the pipes ordered, and mostly distributed along the streets, it will be necessary to lay most of this pipe to complete the connection for a proper distribution of the water. Accompanying this, you will find a statement of the appraisement made this day, which shows as follows:

| | |
|--|--------------------|
| Amount of appraisement, May 15th, 1854, | \$185,000 00 |
| “ “ “ June 6th, 1854, | 15,497 00 |
| “ “ “ this date, | 16,924 35 |
| | <hr/> |
| | \$217,421 35 |
| Whole amount received by us as per accompanying statement, | 169,249 05 |
| | <hr/> |
| Balance now due B. & T., | <u>\$48,172 30</u> |

We hope the above will meet your earliest attention and action, as it is absolutely necessary for us to have the money to carry on the operations and complete the works.

Very respectfully yours,
 BIRKINBINE & TROTTER,
 No. 16 Arch street.

—
 PHILADELPHIA, August 24th, 1854.

To the Select and Common Councils of the City of Philadelphia:

GENTLEMEN—We, the undersigned engineers and contractors for the West Philadelphia, now the 24th Ward, Water Works, would respectfully call your attention to our account, and ask that some arrangements may be made by which we can procure an early settlement and payment, of such an amount as may be due us.

We would not intrude thus upon your attention, but that we have been doing a large amount of work for the City, and necessarily making very heavy expenditures. We have pushed the work with energy, and employed a large force upon it, up to the 15th of July last, and since then have and now are employing a number of hands upon the same.

The amount now due us, (as far as examined by the appraisers mutually appointed.) on the 13th of July last, was \$48,172 30. Since which time, until the 22d of this month, \$6,892 46 has been expended. We have paid for nearly all work and material, and can assure you there is not \$2,000 unsettled by us upon the works. Under the present state of the money market, we find it exceedingly difficult to sustain ourselves, with such an amount of capital invested in this operation.

We are anxious to complete the works, and as the season is now advancing, we feel desirous to get our buildings enclosed, so that we may finish during the coming winter, to accomplish which, it will be necessary to push the work, and trust you will render us your early assistance to do the same.

Very respectfully yours,

BIRKINBINE & TROTTER,

No. 16 Arch street.

The following shows the number of fire plugs, stop cocks, and the size and amounts of pipe, which have been laid in the District, and measured by Mr. James Miller, one of the appraisers.

Number of fire plugs, stops, and sizes and amount of pipe laid in the District of West Philadelphia by Birkinbine & Trotter, to September 1st, 1854.

| | |
|--------|-----------------------|
| 107 | fire plugs and cases, |
| 7 | 4 inch stop cocks, |
| 13 | 6 " " |
| 12 | 8 " " |
| 11 | 10 " " |
| 9 | 12 " " |
| 2 | 16 " " |
| 14,984 | feet of 4 inch pipe, |
| 11,491 | " 6 " |
| 11,226 | " 8 " |
| 10,306 | " 10 " |
| 9,764 | " 12 " |
| 1,271 | " 16 " |

59,042 feet of pipe laid.

The following are the amounts due us to the 1st of September, as per the reports of the appraisers. Those of May 15th, 1854, and to June 6th, 1854, were presented to the Commissioners of West Philadelphia, and were approved by them. That of July 13th, 1854, was presented to the Select and Common Councils, and by them referred to the Watering Committee. Accompanying this is their last appraisement of September 5th, 1854.

Payments as per Statement Commissioners of West Philadelphia.

Payments as per Statement of Birkinbine & Trotter.

| <i>Payments as per Statement Commissioners of West Philadelphia.</i> | | | | <i>Payments as per Statement of Birkinbine & Trotter.</i> | | | |
|--|------------------|------------|----------------|---|-------------------|--------------|------------|
| Date. | Amount of order. | Discount | Nett proceeds. | Date. | Amount in detail. | Amount nett. | |
| 1853. | | | | 1853. | | | |
| Feb. 25, | \$11,000 00 | | \$11,000 00 | Mar. 17, | | \$11,000 00 | Bonds. |
| May 10, | 13,342 60 | \$1,334 2c | 12,008 34 | May 12, | | 12,000 34 | Bills rec. |
| June 7, | 9,548 13 | 954 81 | 8,593 32 | June 14, | \$8,583 32 | | |
| | | | | | Diff. 10 00 | | |
| July 12, | 9,190 81 | 919 08 | 8,271 73 | July 18, | 8,281 38 | 8,593 32 | |
| | | | | | Int. 9 6c | | |
| Aug. 10, | 10,178 37 | 1,017 83 | 9,160 54 | Aug. 17, | 8,300 00 | 8,271 73 | |
| | | | | " 22, | 860 54 | | |
| Sept. 12, | 10,262 39 | 1,026 23 | 9,236 16 | Sept. 13, | 2,500 00 | 9,160 54 | |
| | | | | " 16, | 2,000 00 | | |
| | | | | " 17, | 1,000 00 | | |
| | | | | " 19, | 3,000 00 | | |
| | | | | " 27, | 736 1c | | |
| Oct. 5, | 10,000 00 | C. engine. | 10,000 00 | Oct. 7, | 5,000 00 | 9,236 16 | |
| | | | | " 8, | 4,000 00 | | |
| | | | | " 19, | 1,000 00 | | |
| Nov. 16, | 17,411 78 | | 17,411 78 | Nov. 14, | 11,000 00 | 10,000 00 | |
| | | | | " 21, | 3,000 00 | | |
| | | | | " 30, | 3,000 00 | | |
| | | | | " " | 15 00 | | |
| | | | Back int. | on bond, | 396 78 | | |
| Dec. 6, | 18,264 25 | | 18,264 25 | Dec. 6, | | 17,411 78 | Bonds. |
| 1854. | | | | 1854. | | 18,264 25 | Bills rec. |
| Jan. 3, | 13,054 08 | | 13,054 08 | Jan. 17, | | 13,054 08 | " " |
| Feb. 7, | 13,054 08 | 1,305 40 | 11,748 68 | 1853. | | | |
| | | | | Dec. 17, | 1,795 00 | | |
| | | | | 1854. | | | |
| | | | | Jan. 24, | 900 00 | | |
| | | | | Feb. 13, | 5,475 00 | | |
| | | | | " 11, | 3,639 51 | | |
| | | | | Add | 08 | | |
| | | | | | 11,809 59 | | |
| | | | | back int. | 60 91 | | |
| Feb. 7, | 10,558 68 | 1,055 86 | 9,502 82 | Feb. 17, | 1,384 01 | 11,748 68 | |
| | | | | Mar. 2, | 2,500 00 | | |
| | | | | " 7, | 2,768 01 | | |
| | | | | " 10, | 1,190 69 | | |
| | | | | " 15, | 1,687 11 | | |
| | | | | | 9,529 82 | | |
| | | | | back int. | 27 00 | | |
| March 7, | 1,291 76 | 129 17 | 1,162 59 | Mar. 25, | 2,594 18 | 9,502 82 | |
| April 11, | 6,574 85 | 657 48 | 5,917 37 | April 1, | 1,000 00 | | |
| " 20, | 1,258 91 | | 1,258 91 | May 5, | 1,830 00 | | |
| May 2, | 5,917 37 | | 5,917 37 | " 8, | 316 64 | | |
| | | | | " 16, | 1,293 91 | | |
| | | | | " 17, | 2,747 25 | | |
| | | | | " 17, | 3,681 00 | | |
| | | | | " 18, | 642 67 | | |
| | | | | back int. | 150 59 | | |
| June 16, | 8,000 00 | 800 00 | 7,200 00 | June 16, | | 14,256 24 | |
| " 16, | 10,000 00 | | 10,000 00 | " 16, | | 7,200 00 | |
| | | | | | | 10,000 00 | Bonds. |
| | | | | | | 169,707 94 | |
| | | | | | Add disc't, | 9,200 12 | |
| | | | | | | \$178,908 06 | |
| | \$178,908 06 | \$9,200 12 | \$169,707 94 | | | | |

| | | | | | | |
|--|---|---|---|---|---|--------------|
| Amount as per report of Appraisers, dated May 15, 1854, | - | - | - | - | - | \$185,000 00 |
| Amount as per report of Appraisers, dated June 6, 1854, | - | - | - | - | - | 15,497 00 |
| Amount as per report of Appraisers, dated July 13, 1854, | - | - | - | - | - | 16,924 35 |
| Amount as per report of Appraisers, dated September 5, 1854, | - | - | - | - | - | 8,295 32 |
| | | | | | | <hr/> |
| | | | | | | \$225,716 67 |
| Deduct payments as above, | - | - | - | - | - | 178,908 06 |
| | | | | | | <hr/> |
| | | | | | | \$46,808 61 |
| Less amount to be retained, as per contract, | | | | | | 16,000 00 |
| | | | | | | <hr/> |
| Balance, | - | - | - | - | - | \$30,808 61 |

The foregoing communications and statements give a detailed history of the water works, from their commencement to the present time; and from them you will see that we have done everything in our power to urge forward the work. We are now very anxious to complete them, and hope we shall have early assistance from Councils, to enable us to do so. And we can assure you, that nothing on our part will be left undone, to bring them into early and successful operation. If the work can be pushed energetically, we think we can commence supplying water in 90 days.

Very respectfully yours,
BIRKINBINE & TROTTER.

With this we send you the bills which have been presented to the appraisers and examined by them. B. & T.

APPENDIX No. 65.

To the Select and Common Councils of the City of Philadelphia.

The Committee on City Property, to whom was referred the subject of improving the two Public Squares presented to the late District of Kensington, by the Norris Estate, beg leave to report :

That they have examined the subject and recommend that the Southern one, bounded by Howard, Hancock, Diamond streets and Susquehanna avenue, be graded and enclosed with a suitable wooden fence during the present season, and that such number and variety of trees as may be proper to place there should be planted next spring.

D. B. HINMAN, *Chairman*,
ROBERT NEWELL,
CHARLES MAGARGE,
JAMES DAVENPORT,
C. B. F. O'NIELL,
CHARLES THOMSON JONES,
N. L. KEYSER,
FRANCIS H. DUFFEE.

Committee Room, September 20th, 1854.

APPENDIX No. 66.

To the Select and Common Councils of the City of Philadelphia.

The Committee on City Property, to whom was referred a communication from George W. Brown, respecting the sale of the Property at the south-west corner of Ninth and Locust streets, beg leave to report :

That they have had the subject under consideration, have examined the Journals of the late Councils and the Minutes of the Committee on City Property, who appear to have had

the management of the several purchases made, and herewith submit the opinion of the City Solicitor.

D. B. HINMAN, *Chairman*,
 ROBERT NEWELL,
 CHARLES MAGARGE,
 JAMES DAVENPORT,
 CHARLES THOMSON JONES,
 N. L. KEYSER,
 C. B. F. O'NIELL.

Committee Room, September 20th, 1854.

CITY SOLICITOR'S OFFICE, }
Philadelphia, September 25, 1854. }

I have received from the Committee on City Property a resolution, requesting my opinion in writing, as to whether the City was legally bound to sanction the contract entered into by the Mayor, Aldermen and citizens of the City of Philadelphia and George W. Brown, for the purchase of lots at Ninth and South streets for Market Houses.

I have carefully examined the contract referred to in the foregoing resolution. It is dated the first day of February, 1854, and, having been entered into under proper authority, and legally executed by the contracting parties, it was binding on the authorities of the late City.

By the 37th section of the Consolidation Act, the right and title of the late City of Philadelphia, to the property mentioned in the above mentioned contract, became vested in the new Corporation. Such being the case, the City of Philadelphia, as at present constituted, is legally bound by the contract and all its obligations.

ISAAC HAZLEHURST.

APPENDIX No. 67.

REPORT OF F. GRAFF, SUPERINTENDENT OF WATER, RELATIVE
TO THE WATER WORKS IN TWENTY-FOURTH WARD.

To the Common Council of the City of Philadelphia:

GENTLEMEN—In obedience to the resolution recently passed by your honorable body, instructing me “to examine the condition and availability of the Water Works in the Twenty-Fourth Ward,” I have, in company with the engineer and contractor of those works, made an examination of them, and beg leave to make the following report:—

First, as to the condition of the works.—At the engine house site I found some considerable part of the main force pumps, the hot wells, condensers, air pumps, air pump beams, the foundation columns for the support of the steam cylinders for both engines, upon the ground and partially erected; one of the steam cylinders, with its jacket, the four boilers in their places, the connecting steam pipes in progress, and sundry other work appertaining to the engines and pumps.

The original engine house, intended for high-pressure engines, has been taken down and not re-erected; the boiler stack is not yet rebuilt, and a considerable amount of work is required to be done to the engines and their foundations, before they can be put in use. The subsiding reservoir contained some water, and I was unable to see how much work was required to finish it; the retaining wall upon the river is yet to be rebuilt. The stand-pipe appears to be ready for use, but the main from the pumps to supply it is not entirely laid. I am informed, and have every reason to believe, that the water pipe laid per contract is all ready for immediate use. I believe that if the work be vigorously pushed, and the weather should permit, the water may be supplied from at least one of the engines within the time specified by the contractors, namely, sixty days from the date of the recommencement of the work.

Second, with regard to the availability of the works.—The greatest doubt appears to attach itself to the adoption of the stand-pipe for obtaining a head, and the omission of a retaining reservoir.

That this is an exceedingly objectionable feature in the design, is not to be denied, and I cannot consider it a plan to be relied upon permanently, although it may, by strict and constant attention, be made available whilst the demand for water is limited.

The stand-pipe system is in use to considerable extent in the City of London, but in that and some other English cities the supply of water is not constant, it being let on for only a few hours, in each water district, upon three days in the week; when consumers are obliged to collect in tanks a sufficient quantity to last them until the next "water day." In several of the works the supply is given for a few hours every day, whilst by nearly all of them no supply is given at night, nor yet on Sundays, during which time the engines may be stopped and repaired when necessary. But in this country such an intermitting system will not answer, the supply must be constant. Some of the difficulties of making it so by use of a stand-pipe alone, are the following:—The engines and boilers must of necessity be in almost constant motion and consequently in perfect order; to insure such being the case two engines and pumps and two distinct gangs of boilers have been contemplated in the Twenty-Fourth Ward Works; but this is only a partial security; for from carelessness of the engineer or fireman, the steam may be allowed to fail and the engine stop, when some time would elapse before they could again be set in motion. This of course should not occur, but unfortunately men are not infallible and their vigilance by no means to be depended upon, particularly when upon night duty. Again, should sudden accident occur to the gang of boilers in use, the supply of water would be suspended until such time as would be required to fire up the other gang and bring them into use; even this may not occur, but Cornish boilers require very close attention, and it is proper to consider any contingency, which may deprive the Ward of water. One of the greatest disadvantages of the stand-pipe system, (particularly that form of it which has been adopted in Twenty-Fourth Ward,) is the variable head of water caused by the constant oscillations which must of necessity take place in the altitude of the water in the pipe on account of the variations of the draught upon the mains, &c., which, with only one single acting pump in use, I am inclined to think will be excessive, requiring the speed of the engines to be

altered and regulated with every such variation of demand for the water, and change in the altitude of the column in the stand-pipe. This, to a certain extent, also presupposes constant vigilance of the engineers.

The proper form of stand-pipe, where it is intended to supply the place of a retaining reservoir, is a rising perpendicular pipe, into which the water is pumped to a point near its top, from whence it descends to one or more distributing pipes—by this plan the variations of head are confined to much narrower limits, and in no case can it be less than the height at which the descending pipes are connected with the stand. This plan is calculated to perform much more satisfactorily where no reservoirs are employed and a constant head required than that which has been adopted at Twenty-Fourth Ward, where there is but a single upright pipe, the water being received and discharged at the bottom of it; the head may therefore vary from the total height of the pipe to nothing. This plan, however, will be perfectly effectual if it be used merely to fill a retaining reservoir, as in such case the water in the stand-pipe and that in the reservoir rise and fall together, and, with no disturbance, would be at the same level in each.

The stand-pipe system is moreover an expensive one, inasmuch as the engine is obliged to be worked continually, when, if a reservoir was used, it could probably pump in a few hours all the water required for the day, and might not require to run at night at all for a long period, thus dispensing with night hands.

Again, although the mains may be adequate for the delivery of a much larger quantity than the engine can pump at any one time, no advantage can be derived from this, as the amount of draught upon the mains is limited to the capacity of the engines, instead of the velocity which, with a reservoir, would be due to the head; this might prove a serious disadvantage in case of extensive conflagration or other excessive demand.

It is but due to the engineer who designed and is erecting the works, to say, that the stand-pipe system is not the one originally proposed by him (as will be seen from the printed report of the Joint Special Committee now before you,) but was adopted as an expedient only.

Notwithstanding the objections noted, I believe that, with

close attention, the works as planned may be made available, whilst the supply required is within the power of one of the present pumps to keep up readily, and it may serve the Ward until additions can be made. With which view I would urge the purchase of a site for the erection of a retaining reservoir upon any sufficiently elevated ground, when, if the pumping machinery be retained in its present situation, the stand-pipe will be an auxiliary, useful in filling such reservoir whenever it may be erected.

I cannot believe the situation of the machinery to be well chosen, or yet approve of the whole design of the works, or consider them as positively and permanently reliable in their present form, and the mechanical execution of some parts of the work might be better; but as a large amount of money has been expended upon the project, and the citizens of the Ward are anxiously expecting a supply of water from them, I fully believe it to be the policy of the City to have them completed as early as possible upon the plan originally proposed, after which their positive availability can be secured by the erection of the reservoir as proposed above.

From the examinations I have made, I am convinced that the City will be perfectly safe in granting the appropriation of the amount recommended by the report of the Joint Special Committee now before you, and I think it very desirable that such appropriation should be made as early as possible, for every day's delay at this season is of importance, as the contractors have much masonry and other out-door work to do which may be retarded or entirely stopped by inclement weather, preventing the works being made useful until next Spring.

I am, very respectfully, your obedient servant,

FREDERICK GRAFF,

Chief Engineer Water Department.

NOVEMBER 2, 1854.





